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The United States Democratic review

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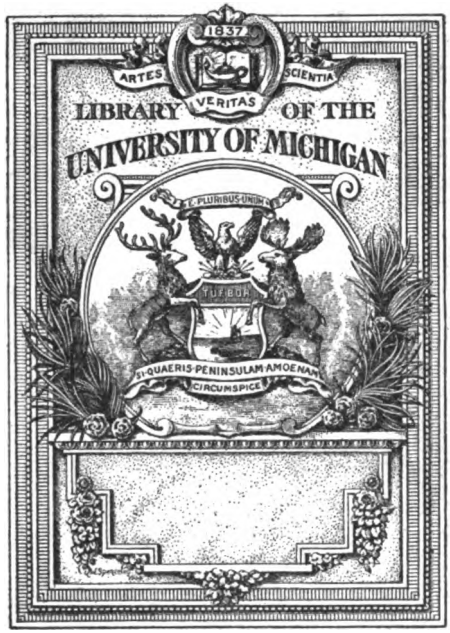

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ENGINEER IN CHIEF OF THE UNITED STATES
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THE

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AND

DEMOCRATIC REVIEW.

EDITED BY

THOMAS PRENTICE KETTELL.

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INDEX

TO THE TWENTY-SECOND VOLUME.

Page

A Halt. (From the French.) 27
Adventures of Christopher Columbus. A Poem. . . 120, 251, 340, 420
An Adventure at an Opera Ball. (From the French.) 139
A Royal Marriage. 256
A Real Pirate. 263
A Duel in 1788, and in 1794. Translated from the French. . . 344, 441
Affairs in Portugal, &c. 525

Bank Circulation. 1st. Vindication of the Free Banking System; Investigation of the Principles which ought to be the Basis of Paper Money. By L. Bonnefoux, Proprietor of the New-York State Stock Security Bank. 2d. Safety Fund Bank Law, State of New-York, passed 1829. 3d. Free Banking Law, State of New-York, passed April, 1838. 4th. Act to Regulate Safety Fund Bank Issues, passed April, 1848. 5th. Act passed April, 1848, to Amend Free Banking Law of 1838. 6th. Draft of a New System of Banking, with a Full Explanation of its Principles. By a Practical Banker. 7th. General Banking Law of Ohio, passed 1845. 499

Condition of China; With Reference to the Malthusian Theory, in a Reply to the late Hon. Alexander H. Everett, U. S. Minister to China, by Prof. Geo. Tucker, late of the University of Virginia. . . . 11
Chalcahual. A Tale of Mexico. 49, 149
Charles VII. From the French of Beranger. 436

Daniel Webster—His Political Philosophy in 1820. By the Editor of the Herald of Truth, Cincinnati. 129
Death of the Marshal Concini, of France. Translated from the French, by "Juvenis." 541

Eli Whitney, the Inventor of the Cotton Gin. Memoir of Eli Whitney, Esq. By Denison Olmstead, Professor of Natural Philosophy and Astronomy, Yale College. 69
Elective Judiciary. 199
English and American Literature. 207
English Rebellion of 1745. By Home. 433
Emilia Galotti; A Tragedy in Five Acts. Translated from the German of Lessing. Act I. 511

Financial and Commercial Review. 81, 177, 271, 375, 464, 561
French Critics and Yankee Foibles. Letters of the Baron de Boigne. (Concluded.) 171
Freedom of Opinion. 308
Frontier Life. Old Hicks, the Guide; or, Adventures in the Camanche Country in Search of a Gold Mine. By C. W. Webber, author of "Jack Long, or a Shot in the Eye." 424
France before the Revolution. Letters from Paris. 545

Gossip and Chit-Chat. 86, 184, 277, 379, 471, 568

Heart Joys. By Mrs. Anna Lewis. 148

Digitized by Google

Page
Influence of Penal Laws. 233
Influence of the Telegraph upon Literature. 409

Lines. Written in an Album. 318
Language. 451, 519
Legerdemain of Law-Craft. 529

My Old Coat. 32
My Study. By Anna Lewis. 510

Notices of New Books. 91, 190, 286, 381, 479, 575

Political Portraits with Pen and Pencil. Charles H. Haswell. . . . 30
" " Henry Miller Shreve. . 159, 241
" " Hon. Joshua A. Lowell. . . 363
" " Gov. William Smith. . . 454
" " Maj. Gen. Gaines. . . . 549
Phaedon; Or, The Immortality of the Soul. Translated from the German of Moses Mendelssohn. 59, 124, 225
Powers of the National and State Governments. By Ellis Lewis, of Pa. Pennsylvania Law Journal, for April, 1848. 398

River and Harbor Improvements. 483

The Mexican War—Its Origin, its Justice and its Consequences. 1st. Annual Message of the President of the United States. 2d. Speech of Hon. Daniel Webster, Oct. 2d, 1847. 3d. Speech of Hon. Henry Clay, at Lexington, in 1847. 4th. Address of Hon. Albert Gallatin to the People of the United States. 1, 106
The Post-Office. Annual Report to Congress of the Postmaster-General. 18
The Culture of Imagination. 33
The Broken Heart. By Mrs. Anna Lewis.—(Concluded.) 45
The Fifty Crowns. 48
The Simultaneous Prayer. 58
The Elective Franchise—Decentralization. 97
The Chesapeake. By Mrs. Anna Lewis. 158
The Rhode-Island Question—Sovereignty of the People. . . . 193
The Follies of the Faculty. 215, 354, 413
The Beleaguered Heart. By Mrs. Anna Lewis. 270
The French Revolution. 289
The Present Reforms of Pope Pius IX., and their Effect upon the Roman Church and the Governments of Italy. 301
The Children of France. From the French of Beranger. 317
The Middle Kingdom. The Middle Kingdom: A Survey of the Geography, Government, Education, Social Life, Arts, Religion, &c., of the Chinese Empire and its Inhabitants. By S. Wells Williams, &c. &c. 319
The United States Constitution. 387
The Growth of States. 395
The East and West. By the Editor of the "Herald of Truth," Cincinnati. 401
The Diver. From the German of Schiller. 437
The Vine and the Oak. By Ellis Lewis, of Pennsylvania. 463
The Duties of the State to its Citizens. 493
Texas. By D. T. Barhydt. 558

Verses. 26
Vile Spring. 224

Woodchucks. 334

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THE

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AND

DEMOCRATIC REVIEW.

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THE MEXICAN WAR—ITS ORIGIN, ITS JUSTICE AND ITS CONSEQUENCES.*

The capture of the Mexican capital by the forces of the United States, after an uninterrupted succession of a dozen splendid victories, having failed to produce a treaty of peace, the attention, not only of the people of the United States, but of the whole civilized world, has been turned to the origin, justice, and probable consequences of the sanguinary war now pending between the two leading republics of the world. The nations of Europe behold with astonishment the flag of the United States waving in triumph over every considerable city, from the Rio Grande to California, and from the supposed impregnable Castle of San Juan de Ulloa to the halls of the Montezumas. The Mexican statesmen and generals with equal surprise, discover that all hope of European intervention in their behalf has vanished, and that all the foreign aid they get consists in the advocacy of the justice of their pretensions by the leading public journals of England, and some of those on the continent. In the United States a Presidential election is approaching, and there are strong indications that one of the great political parties of the country are disposed to risk the issue of the contest upon the question of the propriety of the conduct of the present administration in the controversy which led to the war, and the terms upon which a peace should be offered to a country already subdued, in all but its pride and its obstinacy. Already three distinguished statesmen, whose talents have done honor to their country, Messrs. Webster, Clay, and Gallatin, have publicly denounced the war as unjust, adopted the leading arguments of the Mexicans in the whole controversy, and appealed to the people at large to sustain them in their views. Other statesmen of distinction, without admitting their country in the wrong, appear satisfied with the chastisement administered to the enemy, and are proposing to drop the war and withdraw our forces, as though vindictiveness had been the only motive for its prosecution. At such a crisis, we feel constrained by the impulses of national patriotism, and a proper regard to the impartial truth of history, to devote a portion of our columns to the subject, not for the purpose of eulogising the President and his cabinet, but to place before the world the true merits of the controversy—*not between Mr. Polk and his political adversaries, but the United States and Mexico.*

We are no advocates of war, nor indifferent spectators of human blood and carnage; but on the contrary, look upon all wars as the greatest of ca-

* 1st. Annual Message of the President of the United States. 2d. Speech of Hon. Daniel Webster, Oct. 2, 1847. 3d. Speech of Hon. Henry Clay, at Lexington, in 1847. 4th. Address of Hon. Albert Gallatin to the people of the United States.

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lamities with which nations are liable to be visited, not excepting "pestilence and famine." We would therefore be the last to palliate, much less to excuse or justify, the conduct of those charged with the administration of any government, who should wilfully or needlessly involve their country in hostilities, *with or without* just cause of war, *as against their antagonist.* But while we would hold the rulers of nations to the strictest moral accountability in this respect, we are free to confess that as long as human nature remains unchanged, wars must sometimes be inevitable, and that those charged with their commencement, prosecution, and termination, are placed in the most awfully responsible situation that can be conceived; and one entitled to the most deliberate, careful, and charitable consideration of their countrymen and the world at large, before a judgment of condemnation shall be pronounced against them.

The *individuals* administering the government for the time being, are entitled to such dispassionate consideration, in forming a judgment upon *their* conduct, the propriety of which, however, does not always depend upon the issue in dispute between the nation and its antagonist. The *latter* should be examined as a strict matter of right between the two nations; and it may often be found that one is altogether wrong in the controversy, and still, that the other has inconsiderately or rashly commenced hostilities without using sufficient efforts to conciliate and preserve peace, thereby subjecting the government to the censure of its own countrymen, *but not at all to the imputation of injustice to its adversary.*

We are not politicians by trade, and do not care about the personal success of mere party leaders, whether Whigs or Democrats; but we *are* American citizens, and *do* feel a deep and lasting interest in whatever affects the character of our nation, in the judgment and estimation of foreign countries, and *we cannot and we will* not remain silent, while leading statesmen of high character are openly putting forth arguments in favor of our enemy's pretensions, and giving color to their position by pointing to those acts of our government, which, if not justifiable, were committed, not against the Mexicans, but their own country. If our President has violated his duty in commencing hostilities, without a declaration of war by Congress, it was nothing to the Mexicans, who have nothing to do with the division of powers amongst the different departments of our government. Whatever has been done, has been ratified and adopted by the nation. The question is, has the nation been right or wrong, as regards Mexico, in the *acts* which led to the war? It may be material, but certainly is not very important, which party may be said to have began the war. The great question which the nations of the world and posterity are to decide, is, which nation was right in its pretensions?

To this question we wish to call the attention of our readers, and we ask from them a candid consideration of it, before they determine to enlist their political zeal in the matter, and make an important question between two great nations the turning point in a party controversy at home.

Mexico, with all its degeneracy and anarchy, has not found a statesman or public man of any character, to argue in favor of the positions of its enemy in this controversy; but we have been found to argue for them. Is it because our people are more magnanimous than they, or that the justice of their side of the question is so clear that a whole nation can see it, and even many of our own people, in spite of their interest, their pride, and their patriotism? It is natural enough that the masses of the people of both countries should think their own rulers more right, upon a question involving so much doubt, that, with all the keenness and sagacity of statesmen and politicians, each believed they could justify themselves to the world and posterity, for the positions they respectively assumed; but it is passing

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strange, that the talented and distinguished men of either country, should be willing, much less anxious, whatever might be their doubts in the matter, to exert their powers and enlist their zeal in attempting to convince the world of the soundness of their enemies' arguments. In a free country, however, where those in power can be displaced whenever the public are satisfied they are going wrong, it will often happen that politicians, in the heat of their zeal, will be induced to view the arguments of their country's enemies with more favor than those of their political opponents in office at the time, *which are in the way of their own ambitious aspirations*, forgetting that their country, and their *whole* country, and not *merely* the administration and *its* party, must suffer the odium, whenever the *nation* is placed in the wrong upon a national question. The great masses, however, of all parties, have no interest in the mere success of any individual, and on a national question are disposed to say with Scylla of old, "let us first conquer the enemies of Rome, and settle our own differences amongst ourselves afterwards."

But to the question. Has this war been produced by the wrongful acts, claims, and pretensions of Mexico, or those of the United States?

It has been said, that "the primary cause of the war was the annexation of Texas, the immediate cause, the advance of the army of the United States to the Rio Grande;" and, as both these were the acts of the United States, and not of Mexico, if the proposition be correct, it follows that the United States have caused the war; and the natural inference would seem to be, that they were wholly wrong in the matter. It might, perhaps, with as much justice be said, that the primary cause of the war was the obstinacy of Mexico in mulishly refusing to acknowledge the independence of Texas for ten years after she achieved it, during which, with a single exception in 1842, no blow was struck nor shot fired by Mexico in the fierce war she waged against her little revolted province, *by proclamations, manifestoes, and pronunciamentos, solely*, while the *actual* independence of the little rebel existed, and was acknowledged by the other principal nations of the world; and the immediate cause was the murder of Col. Cross, and the attack on Capt. Thornton and his party by the Mexicans. If neither of these causes had existed, surely there would have been no war. Neither of these propositions, however, appears very satisfactorily to answer the question—what was the true cause of the war?

Mexico has all along insisted she had cause of complaint against us, prior to the annexation of Texas, and the substratum of all her arguments is, that citizens of the United States intruded themselves as settlers into Texas, and thereby created and diffused an American feeling, which led to insubordination, rebellion, and finally to annexation of a Mexican province to their former country. It was never pretended, however, that the government of the United States ever did anything to encourage emigration to Texas; and as every citizen possessed the right of emigration, it was not within the power, much less the duty of the government, to have prevented it. Mexico might, *if she had ever had any jurisdiction or control of Texas*, have prevented a single citizen of the United States or son of the Anglo Saxon race from settling in Texas; but so far from doing do so, she expressly invited and encouraged the emigration in question. When she attempted to resistit in 1833, the states of Coahuila, and Texas and Tamaulipas adhered to their constitutional rights, openly refused to regard the decrees of the dictatorial government of Central Mexico, and no such desires had any force in those states. When the treaty between the United States and Mexico, settling the Sabine as the boundary, was ratified in 1832, the central government had no possession or jurisdiction whatever on the east of the Bravo; but in any

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part of the states above mentioned, and from that time to the declaration of Texan independence, it never had any such possession, unless the invasions of Coss and Santa Anna, both of which were repelled, can be called possession. This cause of complaint was then a *mere pretence.*

Texas being settled by those who, wherever they came from, brought with them the rights of men, finding their lawful federal and state governments annihilated by the usurped military power of Santa Anna, formed themselves into a state, and declared their independence. The United States government stood entirely a neutral spectator of the deadly war waged by the superior power of the Mexican dictator against the infant state, which dared to erect the standard of independence, till they conquered the Mexican army, captured its President, and drove every armed Mexican from their borders. After once having declined to acknowledge the independence of Texas, on account of the short period since its first declaration, at a later day, finding it an independent state *de facto*, the United States and other nations acknowledged it to be so. This also Mexico complained of, and had more reason to consider offensive to her than the subsequent annexation of the acknowledged country to the United States, which was only acting upon the idea of its *actual* independence.

If there had not been just ground for this acknowledgment, that of itself would have been good cause of war by Mexico against all nations making it. If the United States had acknowledged the independence of the Canadian Patriots, (as they were called,) when they were in possession of Navy Island, under the standard of independence, Great Britain would not have hesitated long to have pronounced it good cause of war. It was not *a people*, but a few scattered *fragments* of a people who had set up their standard; and the acknowledgment would have been contrary to the truth of the case. In the case of Texas, the fact was otherwise; and *Mexican pretension* did not *dare to pronounce it a cause of war.*

For the satisfaction of those who think this acknowledgment wrong, we refer to the speech of Henry Clay, in the House of Representatives in 1818, on a motion to insert an appropriation for a Minister to Buenos Ayres, in which he urged the acknowledgment of the independence of every one of the Spanish provinces as fast as independent governments should be set up, and insisted that Spain could not justly complain of the same.

From the time of our acknowledgment of Texas as independent, Mexico has been alternately complaining to our government and threatening war, on the ground that many of our citizens availed themselves of their constitutional right of emigration and removed to Texas, and that some of them openly procured arms and munitions of war in this country, to be used against Mexico after they should arrive in Texas. This was the substance of the complaint to our government, by the letter of Senor Bocanegra, to which our then Secretary of State, Mr. Webster, replied, on the 8th of July, 1842, with a statesman-like dignity and fearlessness, which did him great credit, fully vindicating the United States from every charge preferred against it, and annihilating all the arguments of Bocanegra. He showed Mexico in the wrong in the whole Texas controversy, demonstrated that the United States were not bound to interfere with the trade of its citizens with Texas, by prohibiting the sending thither of arms or munitions of war, any more than to prohibit trade in the contraband articles with Mexico or any other nation; that the government were not responsible for the sympathies of our citizens with a kindred people, struggling to maintain their independence against fearful odds, and had no right to prevent individuals from giving pecuniary aid to Texas or Mexico; that our citizens had done the same for Mexico in the time of her revolution, without giving offence to Spain.

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We quote the following extracts from that letter, as far surpassing anything we can say upon the point in question.

"The whole current of Mr. de Bocanegra's remarks runs in the same direction, as if the independence of Texas had not been acknowledged. It has been acknowledged—it was acknowledged in 1837, against the remonstrance and protest of Mexico; and most of the acts of any importance, of which Mr. de Bocanegra complains, flow necessarily from that recognition. He speaks of Texas as still being "an integral part of the territory of the Mexican Republic:' but he cannot but understand that the United States do not so regard it. The real complaint of Mexico, therefore, is, in substance, neither more nor less than a complaint against the recognition of Texan independence, It may be thought rather late to repeat that complaint, and not quite just to confine it to the United States, to the exemption of England, France, and Belgium, unless the United States, having been the first to acknowledge the independence of Mexico herself, are to be blamed for setting an example for the recognition of that of Texas." * *

"There can be no doubt at all that, for the last six years, the trade in articles contraband of war between the United States and Mexico has been greater than between the United States and Texas. It is probably greater at the present moment. Why has not Texas a right to complain of this? For no reason, certainly, but because the permission to trade, or the actual trading, by the citizens of a Government, in articles contraband of war, is not a breach of neutrality." * *

"At an early period of the Texian revolution, strict orders were given by the President of the United States, to all officers on the South and Southwestern frontier, to take care that those laws should be observed; and the attention of the Government of the United States has not been called to any specific violation of them, since the manifestation on the part of Mexico of an intention to renew hostilities with Texas; and all officers of the Government remain charged with the strict and faithful execution of these laws. On a recent occasion, complaint was made by the representatives of Texas, that an armament was fitted out in the United States for the service of Mexico against Texas.

"Two vessels of war, it was alleged, built or purchased in the United States, for the use of the Government of Mexico, and well understood as intended to be employed against Texas, were equipped and ready to sail from the waters of New-York. The case was carefully inquired into, official examination was made, and legal counsel invoked. It appeared to be a case of great doubt; but Mexico was allowed the benefit of that doubt, and the vessels left the United States, with the whole or a part of their armament actually on board. The same administration of even-handed justice, the same impartial execution of the laws, towards all parties, will continue to be observed.

"If forces have been raised in the United States, or vessels fitted out in their ports for Texian service, contrary to law, no instance of which has as yet come to the knowledge of the Government, prompt attention will be paid to the first case, and to all cases which may be made known to it. As to advances, loans, or donations of money or goods, made by individuals to the Government of Texas or its citizens, Mr. de Bocanegra hardly needs to be informed that there is nothing unlawful in this, so long as Texas is at peace with the United States, and that these are things which no government undertakes to restrain. Other citizens are equally at liberty, should they be so inclined, to show their good will towards Mexico by the same means." * * * * * *

"Upon this subject of the emigration of individuals from neutral to belligerent states, in regard to which Mr. de Bocanegra appears so indignant, we must be allowed to bring Mexico into her own presence, to compare her with herself, and respectfully invite her to judge the matter by her own principles and her own conduct. In her great struggle against Spain, for her own independence, did she not open her arms wide to receive all who would come to her from any part of the world? And did not multitudes flock to her new-raised standard of liberty from the United States, from England, Ireland, France, and Italy, many of whom distinguished themselves in her service, both by sea and land? She does not appear to have supposed that the Governments of these persons, thus coming to unite their fate with hers, were, by allowing the emigration, even pending a civil

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war, furnishing just cause of offence to Spain. Even in her military operations against Texas, Mexico employed many foreign emigrants; and it may be thought remarkable that, in those very operations, not long before the battle of San Jacinto, a native citizen of the United States held high command in her service, and performed feats of no mean significance in Texas. Of that toleration, therefore, as she calls it, and which she now so warmly denounces, Mexico in that hour of her emergency embraced the benefits, eagerly, and to the full extent of her power. May we not ask, then, how she can reconcile her present complaints with her own practice, as well as how she accounts for so long and unbroken a silence upon a subject on which her remonstrance is now so loud?" * *

"All this belongs to the constitutional power and duty of the Government, and it will all be fulfilled. But the continuance of amity with Mexico cannot be purchased at any higher rate. If the peace of the two countries is to be disturbed, the responsibility will devolve on Mexico. She must be answerable for consequences. The United States, let it be again repeated, desire peace. It would be with infinite pain that they should find themselves in hostile relations with any of the new Governments on this continent. But their Government is regulated, limited, full of the spirit of liberty, but surrounded, nevertheless, with just restraints; and greatly and fervently as it desires peace with all states, and especially with its more immediate neighbors, yet no fear of a different state of things can be allowed to interrupt its course of equal and exact justice to all nations, nor to jostle it out of the constitutional orbit in which it revolves."

He distinctly declared also on another occasion, that the continued refusal of Mexico to acknowledge the independence of Texas for years after all actual hostilities had ceased, thus maintaining "that species of war which was carried on without fighting," was a wrong against other nations, and us in particular, and that we should be fully authorised to interfere and tell Mexico, "conquer Texas if you can—if not, acknowledge that you can't"—but you must not keep up a *pretended* war, merely to involve neutrals in difficulty.

While these disputes were progressing, the claims of the United States upon Mexico for spoliations upon its citizens were neglected, and finally the payment of indemnities, already settled and guaranteed by a solemn treaty, were deliberately withheld by Mexico.

On two several occasions the United States declined the proffered annexation of Texas, out of deference to the pretensions of Mexico and her varied intention to re-conquer it; and before the actual annexation, they sent a Minister to Mexico, Mr. Shannon, with full power and instruction to settle all matters in dispute, particularly to induce Mexico to fulfil her treaty stipulations, for the payment of indemnity to our citizens for her wrongs.

After an angry correspondence, in which the Mexican Minister of State stigmatized our government as faithless, and our people as a band of pirates, they refused all further diplomatic intercourse with us, and gave Mr. Shannon his passports. He returned home after meeting with the customary Mexican civility to foreign Ministers, that is to say, being robbed upon the highway of every dollar he had.

Was not here just cause of war on the part of the United States? Mexico had violated her treaty, insulted our Minister, vilified our government and nation, and cut off all diplomatic intercourse with us, declaring that she would hold the annexation of Texas as an act of war on our part. A prompt declaration of war at this period, would have soon brought Mexico to her senses, and taught her to respect our rights and our dignity; but as we tamely submitted to this, Mexico concluded we *dared* not have a war, and would submit to anything to avoid it.

In this state of things, the United States agreed to annex Texas if she assented to the joint resolution passed by both Houses of Congress, and approved by the President. Was this act wrongful as against Mexico? If

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not, it was no just cause of war, and Mexico, by declaring it an act of war, here took the responsibility of causing a state of war from that time.)

A great deal has been said about the United States seizing one of the provinces of Mexico, under the color of annexation, and suspicions of bad faith have been constantly thrown out against the government and nation, because the settlers in Texas emigrated from the United States; and Mr. Gallatin in his pamphlet, (page 9,) says, "(When it was seen that the United States had appropriated to themselves all the advantages resulting from the American settlements in Texas, and from their subsequent insurrection, the purity of the motives of our government became open to suspicion.")

(This is a fair specimen of the argument used against the United States. The motives of our government are open to suspicion, only with those who do not know or will not consider the facts of the case. So far from our government entertaining any idea of getting Texas by annexation, they offered to Mexico, through Mr. Clay, as Secretary of State, in 1827, a million of dollars to purchase the territory up to the Rio Grande. In 1829, through Mr. Van Buren, as Secretary of State, the American Minister at Mexico was authorized to offer as high as five millions for a line through the highlands between the Rio Grande and the Nueces. These offers being declined, the United States, by a deliberate treaty, ratified between the two countries, in 1832, fixed the Sabine as a boundary. Did this look like taking advantage of a weak neighbor?) The country had been claimed to the Rio Grande—was given up in the treaty with Spain in 1819, to the great dissatisfaction of a large portion of the people. When the treaty was ratified, Mexico was in open revolt against Spain, and there was some ground to contend that Spain could take no title under the treaty fixing a boundary of a country in which she had scarcely a vestige of sovereignty remaining; and still the United States magnanimously yielded to Mexico the very country they so much desired. If the United States had done anything to encourage emigration to Texas, and it could be shown that the settlers went there with a design to form a state independent of Mexico, there might be some color for this charge. The facts, however, are the very reverse. The settlers in Texas went there on their own account, putting full faith in the newly-established federal republican government of Mexico for their protection. They voluntarily united with the inhabitants west of the Rio Grande in forming a state government, and from that state they took the titles to their lands. They continued faithful and loyal to that state and its constitution, till it was crushed and annihilated by the military forces of a usurper, whose government they had never been subject to, and never acknowledged. There was *no insurrection* in the case. They appealed to Mexicans to aid them in sustaining the constitution, but in vain. They never thought of independence, till they were driven to it to defend their property and their lives. How unjust then, is it, to accuse them of a design to revolt against the Mexican government? How *absurd, as well as unjust*, to suppose that the government of the United States *could have foreseen* the events in the Mexican capital, which drove the Texian settlers not to a war of easy victories, but to wade through blood, with all the pains and privations of weakness and poverty, to maintain their very existence? (If the United States were so rapacious, so full of bad faith towards Mexico, why in the name of reason did they leave Texas to struggle single-handed and alone for ten years, before the offered annexation was accepted?) This idea of bad faith on the part of the United States, is a mere hollow pretence of those who seek to find fault with our government; and however naturally it might be expected from foreign journalists of monarchial countries, comes with a bad grace from the great statesman of our country.

If Texas had a right to yield a portion of its territory to the United

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States in settling a boundary, it had a right to yield as much as it pleased, or even the whole. It is absolutely necessary that *civilized* nations should have their boundaries defined, that their subjects may know when they are within the jurisdiction of their government. In treating with adjacent governments for a boundary, it is necessary to treat with those in actual possession, or if the country be wild, the adjacent claimant, who seems to have the best pretensions, with the actual power to enforce them. Now, in the case of Texas, the United States had a long line of boundary on the South, along the country within the disputed limits of Texas, which is now claimed to have rightfully belonged to Mexico, but neither country had any actual possession; and the Mexican government had not the power to maintain its jurisdiction in the very heart of the country, and even at its capital. Texas, however, had a government which had been permanent for ten years, with regularly administered laws, claimed and were bound to defend the territory in dispute, and had more power to enforce its pretensions than Mexico. It was very clear that it would do no good to treat with Mexico about this territory with any regard to the rights of, or any probability of friendly relations with Texas. Unless the United States could lawfully treat with Texas for part or the whole of this territory in fixing a desirable boundary for its own protection, it must have bought the territory from *both* countries, or it must have remained inalienable by either. In civil legislation it has been found wise to prohibit the inalienability of lands; and it is more important in the laws of nations to adopt and hold to such principles as will prevent the inalienability of the public domains.

(If it was wrong to treat with Texas in 1845, for the whole country to the Rio Grande, how much more wrong would it have been to Spain to have treated with Mexico for the country in 1827, as proposed by Mr. Clay in that year, or in 1829, as proposed by Mr. Van Buren? By treaty in 1819, only seven years before Mr. Clay's proposition, the United States had solemnly acknowledged the right of Spain to the country. Mexico had claimed to be independent of Spain only six years, and the government had been formed and acknowledged by the United States only three; and so far from the claims of Spain being even tacitly given up in 1829, that country actually sent a large force into Mexico to reduce it to subjugation; and still the political admirers of Mr. Clay are condemning the purchase of the same country from an established government, within the very territory duly acknowledged by the nations of the earth, as a wrong against Mexico. If they are right in this denunciation, how fortunate is it for them that Mr. Clay did not succeed in despoiling Spain of this rich territory through a corrupt bargain with the upstart revolutionary government of Mexico!)

If we are correct that, up to this time, Mexico was clearly in the wrong, and that the United States would have been justified in commencing hostilities against her, as we think all must concede who do not deny the validity of *any Revolution*, it may be granted, as claimed by Mexico, that the annexation was *ipso facto* an act of war, without impugning the justice of the United States towards Mexico. If it had been thought proper to seek redress for the wrongs and insults of Mexico by force of arms, it would have been just, according to the laws of nations acknowledged by all, to have seized upon any part of the Mexican territory without any previous declaration of war; and as Texas was willing to be taken, if it had been a part of Mexico as claimed, the act of annexation would have been nothing more nor less than a conquest of that country, as against Mexico. Arms were unnecessary to subdue it, as it was ready to submit, and voluntarily yielded to our dominion; and if Mexico dared assail it, after we had declared it ours and under our protection, we were able and ready to defend it. Presi-

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dent Tyler and his cabinet may have viewed it in this light, when, after setting forth the grounds above stated, upon which a declaration of war would have been fully justified on the return of Mr. Shannon, the message to Congress recommended the annexation in lieu of such declaration, leaving Mexico to act as she thought proper in the premises. (It thus appears that, *as an act of war*, the annexation could be fully justified, because the United States had *just* cause of war.) (And for the same reason, the position of Mexico was wrong, for she had *no just claim* to Texas nor *just* cause of war against the United States, and therefore, had no right to declare the annexation as an act of war, *unless we so declared or intended it.*) So far from so declaring or intending, the United States took every opportunity within its power to inform Mexico, that the annexation was not made in a spirit of hostility to Mexico; and the resolutions of Congress expressly reserved to the United States the power, as against Texas, to adjust the boundary between the two countries, thus solemnly declaring, in the face of the world, that the United States were not compromitted to the maintaining of the western limits claimed by Texas, and that the whole subject was open to negociation. All the United States said, by the act of annexation was, that they regarded Texas as independent, showing a right to dispose of herself, and that the comity of nations did not require the pretence of jurisdiction kept up by Mexico for ten years after it had actually ceased, during all which time, Texas was as independent as Mexico, as Spain had not yet acknowledged, the latter should be longer regarded as at all affecting the intercourse of foreign nations with Texas.

It has been said that in annexing Texas we took the war with it;—and so we should have done, had there been any war to take; but the truth was, there *was* no war—nothing but a *declaration* of war, or an intent on the part of Mexico to re-conquer Texas, unsupported for so many years by a single act to justify the pretension. Mexico obstinately refused to recognise Texas as independent, and that was all the war which remained. Texas was weak and Mexico comparatively strong—the hostile attitude assumed by the stronger, would, no doubt, have fully justified the weaker in any acts of hostility she might have been able to direct against her superior antagonist. But when the feeble little state, (too strong, however, for Mexico to subdue,) became blended with the United States, the case was changed. Assuming that the United States was annexed to Texas, as much as the latter to them, and that, by the union, the former assumed the precise relation of the latter to Mexico; still, but for the former causes of hostility against Mexico, and perhaps *with* them, something more would have been due to Mexico from the magnanimity of the United States than from Texas. In uniting with Texas, we did not certainly divest ourselves of any duty we otherwise owed Mexico; and as we were the stronger of the two, and Mexico, though obstinately refusing to concede *to Texas* its independence, might be disposed to acknowledge the same to us, we were called upon to extend the olive branch of peace to Mexico, in the altered condition of Texas, before visiting her with the consequences of the hostile state, which she herself proclaimed.

Accordingly, the United States offered to re-open diplomatic intercourse with Mexico, and the offer being accepted, sent a Minister Plenipotentiary to Mexico, fully authorised to settle all matters in dispute, particularly the western limits of Texas.

Mexico, from the passage of the annexation resolutions by Congress, even before the assent to them by Texas, had been making active preparations for the invasion of Texas, avowing her determination, *not to maintain the Rio Nueces as the boundary, but to conquer the whole of it in spite of*

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the United States. As a precaution against this, the United States, at the request of Texas, sent an armed force thither to protect the latter, while the public voice might be fairly expressed in accepting or rejecting the proposed terms of annexation. Mexico did all in her power to induce Texas to dissent, and even offered to acknowledge her independence, *with the Nueces as her western boundary*, on condition of non-annexation to the United States. Texas disregarded this offer, and agreed, with great unanimity, to the resolutions of the United States' Congress.

As all hope of defeating the annexation by tampering with Texas vanished, the preparation for the invasion of Texas was urged forward with greater energy by Mexico, and the war against the United States was spoken of in all Mexican proclamations as a thing already determined upon, and actually existing. The U. S. army was encamped at Corpus Christi, awaiting the issue of affairs. Such was the state of things when Mr. Slidell was sent to Mexico in the fall of 1845. The consent of Mexico to receive a Minister was loudly condemned by the leading officers of the land and the newspaper press of Mexico, and the whole nation resounded with proclamations and pronunciamentos, appealing to the patriotism of the nation to fly to arms for the reclamation of Texas. The feeling against the United States was so strong, that when Mr. Slidell arrived in the city of Mexico, and presented his credentials, on the 16th of December, 1845, the then President, Herrera, dared not recognize him in his diplomatic character, though a peremptory refusal was not then given. The government of the United States being informed of the probable failure of Mr. Slidell's mission, on the 13th January, 1846, sent orders to Gen. Taylor, in command of their army at Corpus Christi, to march to the banks of the Rio Grande, and select such position as he should deem advisable, without molesting a single Mexican, armed or unarmed, unless attacked by an armed Mexican force. It was not till March, 1846, however, that this order was put in execution. Before Gen. Taylor moved from his position at Corpus Christi, Mr. Slidell had been absolutely rejected, and the Mexican army was on its way to the Rio Grande. It has been contended that this movement of the United States army "was the immediate cause of the war;" and in one sense, perhaps it was—for it is quite possible that the Mexican army would not have been able to have kept together until they could have crossed to the Nueces and met the enemy. If they had found nobody to attack, surely they would not have commenced any hostilities. So if the Mexican army had kept on the west bank of the Bravo, there would not have been any hostilities at that particular time. The *meeting* of the two forces was certainly *one* of the causes of the commencement of hostilities, and such is generally the case. If nothing more was meant than this by the allegation that the advance of Gen. Taylor was the immediate cause of the war, we should not be so much disposed to complain of the assertion; but if by it is meant that but for that act the war could or would have been avoided, we deny its correctness *in toto*. Before that act was known in Mexico, war had been positively determined on, and hostilities ordered to be commenced. The Mexican Minister declared, in an official letter to Mr. Slidell, on the 12th of March, that "war was the only recourse of the Mexican government." On the 4th of April orders were issued from the war department at the city of Mexico, to the general in command on the frontier, to attack the army of the United States by every means war permits. Gen. Taylor left Corpus Christi on the 11th, and arrived at the Bravo on the 28th of March.

How Mr. Clay could have fallen into the mistake of saying, that while Mr. Slidell was on his way to Mexico with his credentials, the army of the United States was marched to the Bravo, is truly incomprehensible. Mr.

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Slidell arrived at Mexico and presented his credentials in December, four months before Gen. Taylor started.

Mexico had refused to negotiate on the basis of peaceful relations, and demanded satisfaction for the annexation of Texas. The United States *could* not send a commission to settle with Mexico for the annexation of Texas, without an acknowledgment of the wrongfulness of the act as against Mexico. Mexico did not offer to be satisfied with the appointment of a commissioner or commissioners to settle the *boundary* of Texas, but for its *annexation*. Such being the determination and views of the two governments, how could the matter have been settled but by arms?

If by the allegation be meant that the act of sending our army to the Rio Grande was *wrongful* as against Mexico, and *therefore* was the cause of the war, *still more do we complain of it.* As this appears now to be the turning point of the controversy, we propose to demonstrate, by a very brief and simple process of reasoning, that the act was *rightful* as against Mexico, and that in truth and fact Mexico had commenced actual hostilities; and this leads us to an examination of the question of boundary of which so much has recently been said.—*(To be continued.)*

CONDITION OF CHINA;

WITH REFERENCE TO THE MALTHUSIAN THEORY, IN A REPLY TO THE LATE HON. A. H. EVERETT, U. S. MINISTER TO CHINA, BY PROF. GEORGE TUCKER, LATE OF THE UNIVERSITY OF VIRGINIA.

To the Editor of the Democratic Review:

SIR:—When I some weeks since received the letter from the late Mr. Everett, which you have published in the Nov. number of your Review, my intention was to reply to it at some length; for, according to what commonly takes place in speculative controversy, and to which ours has proved no exception, my first opinions remained unaltered; and I even thought that Mr. Everett's own letter furnished ample materials for their confirmation.

But when, a few days afterwards, I received the melancholy tidings of his death, my purpose was entirely changed. The pride of opinion, the spirit of disputation, the zeal of proselytism—or whatever else may have actuated me—all gave way to my regret that his career of usefulness was thus unexpectedly arrested, when he was in the vigor of life, and his prospects were brightest. I no longer felt a disposition to continue a correspondence which death had forever closed to him; and I was willing to trust, for the support of my views with the candid and discerning portion of the public, to the facts and arguments I had already adduced.

I have, however, been lately reading some recent writers on China, prompted by Mr. Everett's last interesting letter, and I find my purpose again changed. It now seems to me that the interests of moral and economical science requires that some reply should be made to the facts respecting China relied on by Mr. Everett; but in making it, I shall confine myself strictly to the evidence which that country affords for or against our respective opinions. I learn from recent travellers, that the "Celestial Empire," like most other countries, has its pleasing and its homely aspects; and that Mr. Everett has amiably looked chiefly to the first. The cause of truth seems to require that witnesses should be heard on both sides: and no one would more readily have assented to that than Mr. Everett himself.

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But I have another reason for troubling you with the present communication. It is to correct an error which you, and not improbably others, have fallen into, as to my opinions on the Malthusian theory.

The leading points of that theory are, that mankind, in common with all animals, have a tendency to increase in numbers so long as they can obtain food; that this tendency is so strong and unremitting, that it sooner or later makes the population of every country press so closely on the means of subsistence, as to cause much human suffering; and that the redundancy of numbers thus produced, though it might be prevented by prudence and forbearance, is, in point of fact, principally kept in check by war, pestilence, or famine, or some form of calamity or crime which prevents or destroys life.

To this conclusion of Mr. Malthus my opposition is as decided as Mr. Everett's; and I long ago endeavored to show that he had overrated the multiplying propensity; that though very strong, it was not too strong for the dangers to which human life was exposed; and that the evils of redundancy not only could be averted by prudence, which Malthus admitted, but that I thought they probably would be so averted under the best forms of government, and more especially under that commencement of the social state which is one of the fortunate peculiarities of our country. Supposing that the direst evils which afflict mankind to be the inevitable results of that undue propensity to increase, the transition is easy to consider these evils as salutary correctives of human recklessness and improvidence; and, at all events, the doctrine is calculated to discourage our efforts to better the condition of society, and affords too plausible an apology for bad governments. This dissent from the most important part of Malthus's theory was indeed distinctly stated in my first letter to Mr. Everett, and I should not have now repeated it, if it had not appeared, by your remarks in the number of October, 1845, to have escaped your attention.

But I do agree with Malthus, and most other political economists in the gradual rise of raw produce compared with labor, as population increases in density. I concur with them, that if a community continues to increase after all its good lands are taken into cultivation, such increase must be at the expense of lower wages to the laboring class, though not necessarily to the same extent, as certainly as that each individual's share of the earth's surface must diminish with increasing numbers. There is, however, a wide difference between that reduction of wages, when estimated in raw produce, which compels men to resort to the coarsest and cheapest food, and sometimes makes even such pittance unattainable, and that abundance which is found in our fortunate country; and all that I meant to contend for in my discussion with Mr. Everett was, that, in the progress from thinness of population to the utmost density consistent with a sufficiency of wholesome food, the portion earned by the laborer, after a certain point of density was reached, must be gradually less and less.

Mr. Everett, we know, took a much more cheering view of human society. He not only denied the gloomy results which Malthus considered as man's almost certain destiny, and the gradual reduction of wages, but maintained, on the contrary, that they rose with the increasing density of population. These views, which he supported with great ability and ingenuity, he has long since presented to the public; first in a professed answer to Malthus, and more recently in his discussion with me. His late letter from China, shows that he thought he had found much in that country to confirm them. Let us, then, see how far his account of that remarkable country agrees with the testimony of others.

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Before the Embassies of Lord Macartney from Great Britain, and of Mr. Van Braam, from Holland, we knew little of China, except what was derived from the missionaries of the Jesuits. Their accounts are substantially embodied in the following passage from Smith's Wealth of Nations:

"China has been long one of the richest—that is, one of the most fertile, best cultivated, most industrious, and most populous countries in the world. It seems, however, to have been long stationary. Marco Polo, who visited it more than five hundred years ago, describes its cultivation, industry, and populousness, almost in the same terms in which they are described by travellers in the present times. It had, perhaps, even long before his time, acquired that full complement of riches which the nature of its laws and institutions permits it to acquire. The accounts of all travellers, inconsistent in many other respects, agree in the low wages of labor, and in the difficulty which a laborer finds in bringing up a family in China. If by digging the ground a whole day, he can get what will purchase a small quantity of rice in the evening, he is contented. The condition of artificers is, if possible, still worse. Instead of waiting indolently in their workhouses, for the calls of their customers, as in Europe, they are continually running about the streets, offering their service, and, as it were, begging employment. The poverty of the lower ranks of people in China, far surpasses that of the most beggarly nations in Europe. In the neighborhood of Canton, many hundred, it is commonly said, many thousand families have no habitation on the land, but live constantly in little fishing boats upon the rivers and canals. The subsistence which they find there is so scanty, that they are eager to fish up the nastiest garbage thrown overboard from any European ship. Any carrion, the carcase of a dead dog or cat, for example, though half putrid and stinking, is as welcome to them as wholesome food to the people of other countries. Marriage is encouraged in China, not by the profitableness of children, but by the liberty of destroying them. In all great towns, several are every night exposed in the street, or drowned like puppies in the water. The performance of this horrid office is even said to be the avowed business by which some people earn their subsistence."

He then adds:

"China, however, though it may perhaps stand still, does not seem to go backwards. Its towns are nowhere deserted by their inhabitants. The lands which had once been cultivated, are nowhere neglected. The same, or very nearly the same, annual labor must therefore continue to be performed, and the funds destined for maintaining it must not, consequently, be sensibly diminished. The lowest class of laborers, therefore, notwithstanding their scanty subsistence, must some way or other make shift to continue their race so far as to keep up their annual number."

The accounts given about twenty years after Adam Smith wrote, by Sir George Staunton, of the British Embassy, and by the Dutch Embassador, of the condition of the people of China, are in accordance with Smith's. But what say the recent travellers in that country? They all, so far as I have seen and heard, with the single exception of Mr. Lay, cited by Mr. Everett, concur with former travellers as to the low real wages of labor in China, and the evils of a redundant population. Such as are within my reach at present I will cite.

Mr. L. Ritchie, in his "British World in the East," says,

"It is no wonder that in a state of society where sumptuous furniture, and the other elegancies of life indispensable to wealthy Europeans, are illegal, men should fly to the indulgencies of the table. But among the lower classes almost every thing is eaten that has either animal or vegetable life; and even in the mineral kingdom, gypsum is largely used as one of the ingredients of a jelly. Cats, dogs, apes, rats, mice, frogs, worms—all things that an English beggar would turn from with loathing and horror, are freely eaten by the Chinese; although the

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sweet potato in the south, and millet in the north, with rice throughout the whole kingdom, constitute the principal food of the masses."—Vol. II., p. 259.

In a subsequent passage,

"An acre, if well cultivated, produces three thousand six hundred pounds of rice in two crops in the year, which, at two pounds a day, would be sufficient for five persons, or at one pound a-day for ten persons. But an adult Chinese, to say nothing of young children, cannot reckon even on the latter quantity. He is fain to make up with pulse, sweet potatoes, pith, and the animal horrors that have been indicated as furnishing his table. But still the industrious, untiring, hard and foul-feeding plodder has not enough. The people starve in multitudes, notwithstanding that the government every now and then distributes food and clothes among them; and in spite of the severity of the law against emigration,—in spite of the religious bonds which link them to the tombs of their ancestors,—in spite of the ties of nature and kindred, which are nowhere stronger than in China,—and in spite of the national vanity which represents the Celestial Empire as the centre of civilization and paradise of the world,—the famished population bursts its prescribed bounds, and overflows the neighboring regions."—Ib. p. 278.

"But while this clever and hard-working people have brought the cultivation of the soil to a degree of perfection by sheer dint of numbers, these very numbers have kept up the price of its produce to an extent which retains them on the brink of starvation. Where the labor-market is overstocked, wages, of course, cannot rise higher than the level of mere subsistence; and that this is the case in China, is proved by the facility with which service can be obtained for nothing more than sufficiency of food. The wages of a day-laborer, we are told, are four pence a day; those of a journeyman silversmith, painter, or engraver, one pound per month; and the earning of a common schoolmaster about the same sum. After this, we are almost afraid to take the price of rice from Gutzlaff, who is the only recent authority who mentions it, at two taels per stone—or something less than a shilling a pound,* or the price of pork at a hundred cash, or eight pence a pound! Rice, however, it must be recollected, is a luxury to the poor; and as for animal food (of what we think in Europe the legitimate kinds) they consider themselves well off if they taste it once in the month."—p. 281.

Mr. M. Martin, who held an official station at Hong Kong under the British government, and whose work on China, as well as Mr. Ritchie's, was published during the present year, says:

"A considerable portion of the taxes levied upon the productions of the whole empire, is paid in kind, and is here [at Pekin] stored up; the amount of rice alone in these granaries, at one portion of the year, is enormous; but they are often empty before the new crop is gathered; so that a great many die for want of food.—Vol. I., p. 17.

—"The poor are divided into two classes: the laborer and the mendicant; the latter are a most degraded class, resembling somewhat the gipsies, and may be seen in the streets almost in a state of nudity; no one will shelter them, lest they should rob the house. They sleep at night on bridges, and in public places, being denied even the caves of rocks, lest they should die there; for, in that case, the proprietor would be obliged to pay the officer, whose duty it is to inter the corpse." p. 31.

Dr. Gutzlaff, who has examined a great portion of the empire, thus writes of the population on the coast:

"I invariably found the people civil and obliging, but for the most part poor and wretched, and dreadfully diseased."—Ib.

"The poorer sort of females work in the fields up to their knees in mud, and with truth may be said to drag out a miserable existence."—p. 32.

* This is manifestly an error, as appears not only from Mr. Everett's statements, but also from those made by Dr. Gutzlaff himself, in his answers to the queries propounded by Mr. Montgomery Martin.

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"The people possess few of the comforts of life; neither table, chair, nor any article of furniture can be seen in the dwellings of the poor."—Ib.

"Infanticide is not confined to the poorer classes: as a proof of the existence of that crime, foundling hospitals are erected in all large towns to receive girls only, in which they are kept until they are fourteen years of age. Some contend that child-murder does not exist to a great extent, in some provinces, as the females are more numerous than the men in several districts. The crime, however, is not held in the abhorrence it should be."—p. 37.

"The excellent missionary, Mr. Abeel, who was for several years at Kulongsoo and Amoy, says, that from a comparison with many other parts of the country, there is reason to believe that a greater number of children are destroyed at birth, in this district, than in any other department. By inquiry of persons from forty different towns and villages (of which the names are here omitted,)the number destroyed varies exceedingly in different places; the extremes extending from seven to eight-tenths (Chinese mode,) i. e. seventy or eighty per cent. to one-tenth, or ten per cent.; and the mean of the whole number, the average proportion destroyed in all these places, amounted to nearly four-tenths, or exactly thirty-nine per cent."

"In seventeen of these forty towns and villages, the informants declared that more than one-half of the children are deprived of existence. Taking eight other places as a standard, it lies between one-fourth and three-tenths, or near thirty per cent."—p. 48.

—"Dogs, cats, rats, mice, snakes, toads, and other reptiles, are eaten by them who can afford to buy little; indeed, every thing that is found, even to the elephant, is eaten by the poor."—p. 50.

"Many of the most skilful men do not earn a guinea a month; the most industrious manufacturers get only three dollars monthly, on an average, and with this they are content."—p. 53.

"The Chinese may more properly be called gardeners than agriculturalists, as the space allotted to each family is very small, and on this they must subsist. A Chinaman, in the country parts, is seldom seen without a basket and rake, with which he collects anything in the shape of manure; Chinese have been seen dressed in silk, following the buffaloes and hogs, to collect whatever is dropped." —p. 83.

"The importation of rice from America is increasing; the average yearly importation is about fifty-five million pounds weight."—Ib.

In Mr. Ellis's "Embassy to China" is the following passage:

"Population, which during our journey through the southern part of Shantung and commencement of Kiang-nan, had lost its overflowing aspect, now reassumes its former character, but certainly not to the excess which we were taught to expect. A military mandarin observed that in times of peace, the supply of food became scanty, and that wars were absolutely necessary to maintain the proportion between the supply and the consumers. It is something singular to meet a disciple of Malthus on the Imperial canal."—p. 275.

The Rev. George Smith, who has recently visited China as a Missionary, gives but too conclusive evidence of one of the worst consequences of redundant population—child-murder:

"During my occasional visits on horseback to the villages scattered over the island (Amoy), the subject of female infanticide was brought under my notice. The facts with which I became acquainted at Amoy produced in my mind a conviction that this social evil exists in the province of Foqueen to an extent which would be incredible, unless the fullest evidence were at hand to establish its truth. In the other parts of China which I visited, no well authenticated cases were brought under my knowledge sufficient to prove that this crime prevailed to any considerable extent."

He then gives in detail the evidence of the crime which he obtained in different villages, by which it appeared that about half the daughters

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of poor persons were usually put to death; in some cases the proportion was yet greater, that proportion being entirely dependent on the poverty of the parents. He afterwards remarks:

"The dreadful effects of this evil on society are obvious to every visitor of the rural hamlets, where the most cursory investigation reveals the small proportion of the female inhabitants. The more disastrous consequences of female infanticide and of the poverty of women occasioned thereby, may easily be imagined; but their recital cannot be permitted to offend the eye of the reader."

It is not easy to resist this mass of testimony to prove the low wages of labor in China, when estimated not merely in the precious metals, but in the necessaries of life. They show that the laborer is restricted to a vegetable diet of the cheapest character; and that even this bare subsistence is so difficult of attainment as to make infanticide frequent, and scarcely regarded as a crime.

But setting aside these witnesses, whose character and means of information are entitled to our respect and confidence, and confining ourselves to the statements made by Mr. Everett himself, what do they lead us to infer? Why, that the subsistence which the laborer can earn for himself and his family is nothing but rice with little or no animal food.

He does indeed state that the ordinary wages of day labor—a *mace* a-day—will do much more than, and will even purchase rice enough to support fourteen or fifteen persons; and he actually seems to suppose that the reward of labor is really higher in China than it is even in New-England, where, he admits, that the laborer who finds himself receives a dollar a-day.

Before I compare the rate of wages in China with that of the United States, I will correct an arithmetical error into which Mr. Everett had inadvertently fallen, and which, no doubt, contributed in some degree to mislead him.

He estimates the ordinary wages of labor at a *mace*, or one-tenth of a *tael* a-day, and the price of a *pecul* of rice, equal to 133⅓ lbs. at a tael and a-half, or 15 mace; of course the laborer requires fifteen days to earn these 133⅓ pounds of rice, or about 8 9-10 lbs. a day, which, allowing a pound a-day to each individual, would not be quite enough for 9 persons, instead of 14 or 15, as Mr. Everett supposes.

In the United States, on the other hand, if the laborer would be satisfied with a diet, more palatable to most than rice, and at least as nutritious, he could purchase with a single day's labor from one to two bushels of Indian corn. Allowing a quart a-day to each individual, *his* earnings would afford subsistence to from 36 to 72 persons, that is, from four to eight times as many as the same labor would in China.

I would however remark, that this mode of estimating the wages of labor is at once vague and delusive. Out of these wages the laborer has not only to provide his food, but also his clothing, rent, fuel, and salt, and also to pay for his subsistence on the days when he is sick and can't work, or though well, can't get employment: so that it is quite possible that his annual earnings may often not be more than sufficient to defray his own necessary expenses, and to leave nothing for the support of a family.

Adam Smith, indeed, assumes in the passage already recited, that "the lowest class of laborers must some way or other make shift to continue their race so as to keep up their annual number:" but this inference is scarcely warranted in a stationary population, as he supposes that of China to be. There all, the rich and most of those who have a

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competency, have families as large, or nearly as large, as in growing countries; and to the same extent as these classes would add to their numbers, the poorer classes must fail to do so. The numbers of these last are therefore partly kept up by the increase of the classes above them. But the powerful instinct of multiplication still operates with sufficient force as, united with the increase of the other classes, to cause a redundancy of laborers, which is checked by infanticide, or starvation, or a rate of wages not always sufficient to support more than the individual laborer.

But let us look at another estimate presented by Mr. Everett, in which the dates are more precise. He puts down the wages of an ordinary laborer at 60 dollars a year—his own expenses for food, clothing and rent, at from $2 25 to $3 a month; the price of common board at from one dollar to a dollar and a half a month; the price of clothing from $4 to $5 a year. The cost, then, of supporting a family at these minimum rates, (for they are evidently so stated) are as follows:

The laborer's expenses, at $2 25 a month, is . .	$27 a year.
Board of a wife and two children, at $1,50 each a month,	54
Clothing for the same, at $4 a year, ...	12
	93

So that the cost of maintaining even this small family would exceed the laborer's earnings more than 50 per cent.; and this, too, without allowing anything for the purchase of medicine, utensils, any species of levy or tax, or any petty indulgences. But when it is recollected that food bears as low a money price in the United States as it does in China, and that coarse cotton fabrics, that constitute the clothing for the poor, are yet cheaper here, as they are largely exported to China, we can see how much higher the laborer's wages are with us, and that the very large excess of his annual expenditure arises not from the higher cost of what he purchases, but from his living in a style of plenty and comfort, to which the Chinese laborer can make no approach.

I cannot bring this protracted correspondence to a close without paying a passing tribute to the skill and talent with which Mr. Everett has supported a doctrine that I first considered utterly untenable, and repugnant to the received principles of political economy: and while I must still insist, as a general rule, that after all the good lands of a country are taken into cultivation, the price of raw produce, when compared with labor, must rise with the increasing density of population, though, perhaps, not in the same ratio, or, in other words, that it will require a greater expense of labor to procure the same amount of raw produce; yet, inasmuch as the increased density may be met for some time by an improved husbandry and the profits of foreign commerce, I am now disposed so far to qualify the general principle as to admit that, in the present and past state of the world, an increased density of population may sometimes indicate the better condition of the people, as is the case in Great Britain and most of the countries of Europe, though at other times it indicates greater poverty and difficulty of subsistence in the mass of the people, as we see in Ireland, India, and China.

It would seem that I do not always write quite legibly; and for want of such correction of my previous letters (published in 1845,) several passages of them, as printed, were at once uncouth and unintelligible. Thus I was made to speak of "*parts* of rice," instead of "*pints*" of

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rice; of "rough *woods*," instead of "rough *roads*;" of "*unclassical* arts," instead of "*mechanical* arts," &c. Nor would my misquotation of Horace, written "*currente calamo*," have been suffered to stand. For errors such as these, that do not manifest themselves, the author is alone the sufferer.

I am, respectfully, your obedient servant,

GEORGE TUCKER.

THE POST-OFFICE.*

The cheap postage system has now been in operation two years, ending with the fiscal year, June 30, 1847, and the report of the Post-Master for the last year, shows the experiment to have been eminently successful. The current revenues of the department for the year were nearly equal to the expenditure, falling short only $33,677. In the first year of the operation of the cheap system, the deficit was $597,098, and for the preceding eight years under the old rates, the aggregate deficit was $1,222,249, averaging $152,781 per annum. The amount of revenues was, however, much affected by the state of general business, which, when very active and generally prosperous, promotes an enlarged correspondence, not only in relation to mere business, the multiplication of exchange transactions necessarily following enhanced sales of produce, and multifarious modes by which business correspondence is increased, but pleasure travelling is greater, and social correspondence, of course, more extensive. The high rates of postage which ruled from the formation of the government down to the act of 1844, gradually began to operate against the revenues of the government. When the country was new, and steamboats and railroads had as yet neither opened new channels of communication, nor made old ones more facile, few private enterprises could compete with the conveyances from city to city, which contracted to carry the government mail, and the rate charged by the government could not be successfully underbid. A stage coach which could carry a letter from New-York to Boston in several days journey for 18¾ cents, could not be successfully rivalled by private enterprise. When, however, the two cities were, through the operation of steam, brought within a few hours of each other, and the government mail carrier continued to claim 18¾ cents for the transportation of a letter, which a private express in the same conveyance took for 5 cents, the era of reform was reached. Notwithstanding the vast increase of population, travel and business, that each succeeding decade presented, the affairs of the post-office department seemed rather to deteriorate than improve. Up to the year 1819, the department had always been a source of revenue to the government, but from that time to 1845, it ceased to be so. In the years 1835, 1836, 1837, when all speculative business presented great activity, the department yielded large revenues, because the receipts

* Annual Report to Congress of the Post Master General.

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multiplied faster than the expenses were enhanced. From that time, the reverse has been the case, until the last two years. In fact, the department seems to have been the prey of extortionate contractors, who demanded from the government sums very much larger than they would require from individuals for performing the same service. When railroad and steamboat lines came to be established, the superior facility which they offered in delivering letters promptly, seemed to impose a sort of necessity upon the government to employ them in that service. These lines did not fail to take advantage of that apparent necessity, in charging the government ten times the amount for carrying 1000 pounds of mail matter, for which they would be glad to carry 1000 pounds of merchandise. In fact, the carrying of the mail was looked upon as a kind of bonus always urged upon the public by projectors of railroad or steamboat enterprise. This difficulty appears now to be in some degree removed, inasmuch as in the same manner that competition of private expresses forced upon the department a reduction of rates, so has the multiplication of railroads and steamboats reduced their charges for the mail service in some localities. The whole department was overrun with abuses; the contractors seemed to act under the impression that they had a sort of pre-emption right to the government business, and that the department was under obligations to pay them a large bonus if any change was made. These abuses became intolerable, and have in a manner wrought out their own cure. One of the objects in conferring upon government the monopoly of post routes, is to have the business done with regularity, precision, and at least as cheaply as it can be done by private enterprise. It is self-evident, that to perform the service as cheaply as private individuals, the government must have its work done on as favorable terms. As long as the department was looked upon as a source of plunder, by which contractors could get much pay for little labor, it is evident that, to preserve the rule of making the department pay for itself, the public must pay exorbitant postages in order to supply the means of feeding the rapacity of the contractors. When, however, cheap postage was insisted on by the public, one of two things must take place, either that a reform in the patronage of the department should be effected so as to bring the expenses within such reasonable limit that low charges would cover the aggregate, or that the deficit should be made good from the federal treasury. There never yet existed any system of corruption, but the reformers were vilified in every possible way, and for the obvious reason, that no very active party interests itself in a reform, from which it derives no special benefit. Thus the public insisted upon cheap postage and then stopped, all other parties cried out cheap postage also; but when cheap postage involved economy in expenditure, the most inveterate opposition was conjured up by the contractors and mail carriers. These parties would not lightly forego the plunder to which they had been accustomed, and they were joined by protectionists and that class of the old Federal party who favored large government expenditure. These united favored cheap postage, and wished to have the deficit paid out of the federal treasury, because it would enhance the annual expenditure, and, as was openly asserted by influential men in New-England, make high duties necessary to supply the outgo. By these means a vast engine of corruption would have been created that ultimately would have defeated the object wished for by the people in cheap postage. The abuses in contracts, and consequent increased burdens upon the treasury, would at least have prevented a further reduction in rates. The only way in which the reform of

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rates could be placed on a sure footing, was to commence with the expense of transportation, and as soon as that should be brought within reasonable limits, the department would be on a sound foundation, and its future movements be influenced by the increasing revenue, which diminished charges on letters would inevitably bring about. This, however, as we have intimated, was a Herculean task; the whole rotten system was to be changed, and the enmity of the contractor and carrier deprived of accustomed plunder, was to be encountered as well as adverse public opinion, poisoned through the influence of an unprincipled and venal press in the interests of speculators.

The practice seems to have been, under the old law, for the contractors to enjoy a sort of monopoly, and in putting in their bids, it was under the pledge of the department, that should any new contractor underbid them, he should be compelled to purchase of the old or superseded contractor the stock necessary to transport the mail, or in other words, to pay the incumbent an exorbitant bonus for the good will, under the pretence of buying his stock. To this abuse the new law, passed March 3, 1845, applied a remedy; its 18th section declaring, that "in all future lettings for t he transportation of the mail," the Post-Master, "in every case, should let to the lowest bidder," without reference to the old contractor. It appears that the Union was divided into four post districts, in one of which the lettings fall due every year, as thus the contracts being for four years, the eastern lettings fell due in the spring of 1845, the western in 1846, the southern in 1847, and the middle in 1848; consequently the eastern lettings came round a few weeks after the law passed, and all the contractors met at Washington, claiming, that as the new law did not take effect until July, that they were entitled to enter into new contracts for four years more under the old system. These contractors drew up a memorial of their *grievance*, which is certainly a curiosity. They complained that they suffered injury, because the new contractors were admitted to bid against them without being obliged to buy their old carts and horses, and went on as follows:

"Another result of the Post-Master General's circular, which must operate injuriously upon contractors, and which cannot now be averted, arises from the increased competition it has called forth among a class of men that otherwise would not have embarked in the business of mail contractors. The *effect of this unusual competition* will inevitably be to reduce the price of coach service below what it would have been under the usual advertisement for mail proposals."

This certainly is as cool a statement of "*grievance*" as could well be desired. They complained that their exorbitant overcharges would be reduced, by admitting the public to open competition. The Post-Master, however, was vigilant and firm, and the result was, that those lettings took place at a reduction of $252,732, or 35 per cent. under the prices previously paid; and it is not a little remarkable that these low bids were in some cases made by the same men who had so long been enjoying the higher prices under the old law. Under the lettings of the western routes, $220,000 was saved, and this year on the southern routes, $108,697. The falling in and reletting of all the sections will produce a saving of $1,000,000 in the annual expenditures. As an instance of the extent to which the new contractors were oppressed by the requirement of buying out the stock of those they superseded, it may be stated that the department required from contractors a statement of the value of the stock employed. Only 60 per cent. of the contractors made replies. The results, with an estimate of the remaining 40 per cent. were as follows:

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No.	Carriages.	Horses.	Persons Employed.	Value Carriages.	Value Horses.	Annual Expense.	Annual Wages.
Returns	2,429	13,869	4.636	$640,527	1,104,789	$2,238,577	$669,747
Estimated	848	4,955	1,672	226,005	395,349	798,829	234,072
Total	3,277	18,824	6,308	$866,532	1,590,138	$3,037,406	$903,719

The aggregate value of stock at these returns and estimates, was $2,366,670, and much under the rates charged to new contractors.

The law also regulated the maximum rates at which rail road and steamboat lines should be paid for mail services. This elicited great opposition, many lines refusing the rates, and thus compelling other means of transportation to be resorted to; the lines hoping through public clamor to coerce the government into their terms; and there have not been wanting venal prints to aid in this indirect robbery. It is no doubt the case, that the government might advantageously pay a little more, rather than have the public interest suffer; but the public will suffer more by perpetuating corruption than by submitting for a few months to inconvenience in the conveyance on some portion of the mail routes. The great object is, first, to purge the department of the corruptions that have overrun it. Under all these circumstances, the leading features for the last two years compare with those of former ones as follows:

NUMBER OF POST MASTERS—LENGTH OF POST ROUTES—NO. OF MILES OF TRANSPORTATION—COST OF TRANSPORTATION AND RECEIPTS AND EXPENDITURES, DURING NINE YEARS UNDER THE OLD LAW, AND TWO YEARS UNDER THE NEW.

	Post-Masters.	Post Routes.	Miles.	Cost.	Receipts.	Expenditure.
1837	12,099	141,242	32,597,006	$2,895,622	$4,100,605	$3,303,428
1838	12,519	134,818	34,582,202	3,131,308	4,235,077	4,621,836
1839	12,680	133,999	34,496,878	3.285,622	4,477,619	4,654,718
1840	13,488	155,739	36,370,776	3,296,876	4,539,265	4,759,110
1841	13,682	155,026	34,996,225	3,159,375	4,379,317	4,567,238
1842	13,733	149,732	34,835,991	3,087,796	4,546,246	4,627,716
1843	13,814	142,245	35,252,805	2,947,319	4,295,925	4,374,713
1844	14,103	144,687	35,409,624	2,938,551	4,237,285	4,296,867
1845	14,183	143,940	35,634,269	2'905,504	4,289,841	4,320,731
New Law.						
1846	14.980	149,679	37,398,414	2,363,905	3,487,199	4,084,297
1847	15,146	153,818	38,887,899	2,406,848	3,945,893	3,979,570

In inspecting these figures, we are struck with the general fact, that although the cost of transportation has been lower than under the old law, the number of miles travelled is much greater than ever. In 1837, the cost of 32,597,006 of transportation was $2,895,622, or 8¾ cts. per mile average; in 1847, the cost of 38,887,899 miles has been 2,406,848, or 6½ cts. per mile average. The length of post routes has increased 10,000 miles since 1840, the number of post masters 1,000, and the miles of transportation 3,253,630 miles, while the expenses are $341,141 less. The Post-Master who has produced such results, is surely not an inefficient one. The following table will show the change in the different modes of transportation:

	On Horse.		Coaches.		Rail-Road & Steamboat.	
	Miles.	Cost.	Miles.	Cost.	Miles.	Cost.
1837	11.999.282	$861,578	18,804,700	$1.726,600	1,793,024	$307,444
1838	11,573,918	831,028	30,651,432	1,896,157	2,356,852	404,123
1839	11,447,147	864,569	19,653,676	1,900,457	3,396,055	520,602
1840	12,182.445	789,668	20.229,278	1,911,855	3,889,053	595,353
1841	12,088,862	781,897	18.961,213	1,791,635	3,946,450	585,843
1842	11,644,693	737,605	18,767,036	1,700,510	4,424.262	649,681
1843	11,146,229	602,064	18,414,174	1,611.568	5,692,402	733,687
1844	11,373,952	577.703	18.288,317	1,558,842	5,747,355	802,006
1845	11,225,631	548,482	17,914,046	1,476,079	6,484.592	843,430
1846	14,079.553	629,918	15,537,033	1,164,590	7,981,828	870,570
1847	15,593,972	650,166	15,209,005	912,462	8,084,922	844,220

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These are no trifling results. The average cost of steam per mile in 1847 was 10 cts. against 14 cts. in 1844, and the other modes of conveyance are reduced in proportion. The length and cost of routes in the several states were as follows:

States.	1843. Cost.	1845. Cost.	1847. Length of Post Routes. Miles.	1847. Total annual rate of cost.
Maine	$71,447	$69,654	3,980	$41,964
New-Hampshire	43,998	46,538	2,267	25,560
Vermont	46,009	46,939	2,486	26,563
Massachusetts	131,749	128,545	3,478	107,392
Rhode Island	10,115	10,515	383	9,187
Connecticut	51,371	55,308	1,820	45,797
New-York	352,329	360,665	13,292	229,307
New-Jersey	62,330	58,194	1,980	58,930
Pennsylvania	187,437	152,917	10,226	155,412
Delaware	8,303	7,931	549	7,862
Maryland	147,235	131,770	2,359	133,751
Virginia	199,753	198,162	10,782	192,615
North Carolina	151,495	174,617	7,423	172,520
South Carolina	122,378	115,945	4,718	118,157
Georgia	171,671	149,761	5,761	153,001
Florida	44,199	42,354	2,957	45,193
Ohio	194,607	162,300	11,538	172,295
Michigan	40,635	45,363	4,255	38,211
Indiana	68,688	68,711	6,760	52,439
Illinois	121,269	120,523	8,276	102,485
Wisconsin	12,234	69,182	3,078	15,043
Iowa	6,919	13,382	1,641	9,722
Missouri	69,081	7,381	7,897	49,720
Kentucky	130,566	125,551	7,705	89,581
Tennessee	96,065	89,629	6,826	55,298
Alabama	218,055	228,266	6,553	136,499
Mississippi	95,580	95,312	4,217	58,451
Arkansas	53,821	52,950	4,637	39,966
Louisiana	57,976	39,666	3,208	41,795
Texas			2,766	24,102
Total	$2,947,319	$2,867,991	153,808	$2,406,848

Through the process of general and increasing competition for the government business on fair terms, the great result has been attained of bringing the expenditure within the limit of the reduced revenue in the second year of the operation of the new law, while the general service has been much increased. This is an astonishing result. For the year ending with June, 1848, there will be a surplus of $213,951, a thing which has not occurred before in ten years. From this position of great strength, the department now looks forward to a general farther reduction in the rates of postage through the healthy application of any surplus that may exist to that purpose.

In a government like ours, nothing is more important than to preserve its administration from the corruption of patronage, the evils of which will be felt, let the friends of equal rights be ever so vigilant. The condition of France is an instance of what may be effected through official corruption. Nominally, under the charter of 1830, a constitutional king, through the influence of corruption, rules with a far more absolute sway than does the autocrat of Russia. Every department of that government is made the means of conveying the corrupting stream of official patronage from an unprincipled executive head down through all those channels by which public opinion can be influenced in favor of the existing order of things, and a corrupt mass of pensioners conspires with an infamous prince to wring from the great body of the people the wealth on which they riot. A large party in our own

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country have ever sought to centralise the federal government by making it the fountain whence every species of patronage might flow to enrich its adherents, and through community of plunder to unite multifarious interests in support of the source whence great pecuniary advantages to each are to be derived at the expense of the people at large. The great democratic voice of the country has uniformly denounced these insidious schemes, the most prominent of which were, first, a national bank, chartered by the federal government, with sovereign control over the paper currency, and, with its affiliated branches in all the states, forming a vast engine of corruption. The protective system next sought to make the manufacturing interest dependant upon the federal patronage for its support, instead of on its own skill and industry. The distribution of the public lands was intended to employ an army of land agents to collect money into the federal treasury, for the sole purpose of re-distributing it among the several states, for the benefit of political charlatans; a still more stupendous scheme of patronage was to engraft upon the federal treasury the duty of internal improvements, through the operation of which, thousands of trading politicians could project so-called improvements in all sections of the country, and demand millions of dollars annually from the federal treasury for their execution. For this purpose alone, the demands upon government amounted to $200,000,000, when the plot was crushed by the Maysville road veto of the venerable Jackson. The assumption of the state debts, amounting to $200,000,000 by the federal government, was another grand scheme of consolidation happily defeated by the firmness of the democracy. Had these projects all been carried out, the debt of the federal government would now have been equal to that of Great Britain, and the creditors of the government would alone have formed a formidable army indissolubly attached to its interests. The post office department has not been exempt from this universal attempt at subordination to the centralizing power. It employs fifteen thousand post-masters, and near four thousand contractors scattered over the whole Union. This is a powerful machinery for corruption, which can be avoided only by making the services of those persons yield sufficient to cover the charge. That is, by conducting the post office department on those commercial principles, which alone would govern it, were it in the hands of individuals. It has been sought, however, to engraft it upon the federal government as one of its ordinary expenditures, and to allow a host of contractors and railroad interests to depend upon political influence, to turn into their coffers large bounties for small services, and to supply the treasury drain thus created by high duties upon imported goods for the supposed benefit of domestic manufactures. It is in this insiduous mode that one corruption leads to another. The manufacturing interests labored under the notion that their profits were promoted by high taxes upon imported goods; it followed as a necessity in their estimation, that if the taxes were high the revenues would be large; and to make those large revenues apparently necessary, lavish expenditure was unblushingly encouraged, such as a profligate system of internal improvement, assuming state debts to be paid by duties on imports, squandering the land revenues, and countenancing the corruptions of the post office department. The consumers of goods are to pay double for all this extravagance in two modes; first, directly in the money spent, and secondly, in a greater degree in the prices of all goods purchased, enhanced by the duty on the foreign article, as, for instance, the savings in the post office department, by purging it of its corruptions, amount to $1,000,000 per annum. If the Post-Master had consented to become

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the tool of the employees in extracting that sum from the federal treasury this year, it must have borrowed the sum in a twenty years' stock at 6 per cent., and principle and interest, it would have cost the people of this country $2,200,000, and continued yearly, would cost them $50,000,000 in the next twenty years. This $50,000,000 would either have to be raised by taxes on goods or by direct taxation.

It is clear that the expense of transportation must be paid by the people of the United States under one form or another. If under a system of economy, $2,500,000 suffices to transport the mails, those who use the mails at 5 cents per letter will pay the amount. If, in the shape of bonuses, allowances, and political rewards, the cost of transportation is raised to $3,500,000, the revenues of the department will no longer pay its expenses; but the extra $1,000,000 must be drawn by taxes on shirts, sugar, and sheetings, from the laborer who seldom writes letters, to feed corruption. The mail carriers, who seek through clamor to make every casualty of the mails, that they themselves create, a means of enforcing extortion, are very active in their efforts, and even have the audacity to get up meetings pretending to represent public opinion. At one of these meetings the following resolution was adopted:

"*Resolved*, That the Congress of the United States be respectfully reminded of the fact, that the public faith was pledged by repeated declarations, that while doubting the constitutional power to aid in constructing railroads, by direct subscriptions to the capital stock, *ample remuneration would be made to the patriotic stockholders by liberal contracts, and allowances for carrying the mails, transporting troops, munitions of war, &c., &c.*"

Here is a bold avowal of the intention of making the carrying of mails the medium of government bounty. It is not a little singular that these very rail roads were, by act of Congress, in force from 1832 to 1843, relieved from a duty of near 100 per cent. on iron used for rails, while the tax was borne by all other interests in the country. This was in the nature of a direct bounty to rail roads amounting to many millions of dollars, and should have been conditioned upon their carrying the mails *free;* instead of this, however, they now came forward and demand "further allowances."

The Post-Master proposes several modifications of the existing law with a view farther to decrease expenditure and enhance revenues. The principal of them are to discontinue the privilege of allowing sealed letters "in relation to cargo" to be carried by vessels and vehicles on post routes, inasmuch as that it is a cloak to fraud; also to consider ¼ oz. or ⅓ oz. as a single letter, instead of ½ oz., unless written on single sheet, and require all to be pre-paid or to pay double postage if not pre-paid, and also to reduce the franking privilege to official correspondence. By these means, it is supposed the revenues will be increased, while it is suggested that newspapers should pay by weight; for the reason that under the present regulation, a paper weighing 2½ oz. is charged no more than one weighing ½ oz. This is obviously as unequal a tax as to charge letters as indiscriminately. A letter which weighs ½ oz. pays five cents, and one weighing 2½ oz. pays 25 cts. If this rule is applied to newspapers, it would seem to be more just than as suggested to call a letter on one sheet of paper, weighing ½ oz. a single letter, and another weighing ⅓ oz. on two sheets a double letter. The argument of the Post-Master in favor of charging newspapers more than light ones, is that it costs more to transport the former. In applying this reasoning to letters, it surely does not cost more to transport a ½ oz. letter on two pieces

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of paper than on one piece. Nor is there any greater burden thrown upon the department, because a letter enclosing bank notes not exceeding the weight of a single letter, pays only one postage. To reduce the weight of the single letter is simply to raise the postage; and the report shows by far too flourishing a condition of the department under the low rates to make such a step necessary.

One of the most gratifying features of the report, is the number of letters passed through the office. In the report of the House committee on the post office in May, 1844, it was stated, that the number of chargeable letters passed through the office in 1845, was 25,015,344, and the Post-Master's estimate in 1837 was 29,360,992. On these data the Senate committee estimated that at a postage of 7½ cts. there would be 60,000,000 paid letters pass through the mail. The House committee estimated that at a proposed rate of 5 cts. within 220 miles, 10 cts. over 220 and under 600 miles, and 15 cts. over 600 miles, that 60,000,000 letters would be mailed, yielding $3,937,500. Mr. Maclay in the House, estimated the postage for 1842, ($3,953,319,34,) to have been derived as follows, viz. from—

7,021,886	under 30 miles,	at 6 cents,		$421,313,16
10,532,815	" 80 "	" 10		1,053,281,50
7,021,887	" 150 "	" 12½		877,735,87
5,261,731	" 400 "	" 18¾		986,574,56
2,457,457	over 400 "	" 25		614,414,25
32,295,976				$3,953,319,34

It was supposed that his bill graduated at 3, 5, 10 and 15 cents, would produce $2,742,337 on an aggregate of 42,389,936 letters, leaving a deficit of $1,200,000. The report of the present year shows the actual results to have been 52,173,480 letters, and the revenue derived from them $3,254,512, exceeding the letter postage of 1846, 372,815, being an increase of 12½ per cent. If the number of letters increased in the same proportion, the excess over last year must have been 5,797,093. The whole number of letters passing through the office is placed at 55,000,000. The average rate of postage was, it appears, 6¼ cents. Of the whole number of letters, 36,152,556 were of the single rate of 5 cents; and probably if this should be made the uniform rate, the increase in number would be such as to swell the revenue beyond what it otherwise would be.

It is singular that, considering the circumstances of the condition of the United States as compared with Great Britain, the amount of correspondence between individuals should be so much less in America than in England. The population of Great Britain, according to the census of 1841, was 26,711,059, of whom 12,127,405 were over 20 years of age; of these 41 per cent. were unable to read and write, leaving but 7,155,169 persons who enjoy the advantages of a post office. These transmit through the mail 204,000,000 letters per annum, or 28½ letters each. In the United States there are, according to the census, 5,892,806 free white persons over 20 years who can read and write; and these, it appears, in 1844 mailed but 27,831,036 letters, or 4⅞ each; and this year of all sorts, 55,000,000 letters, or about nine letters each, being one third only of the quantity of letters mailed per capita in Great Britain. If the people of this country should write each as many as those of England, there would be 165,000,000 mailed; and at two cents each, would give a revenue of $3,200,000, equal to the revenue of the present year. One great reason that letters are more numerous in England is, that means of communication are more rapid. This is a kind of

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paradox; and in fact, when the Manchester rail road was projected, it was supposed that its rapid and cheap communication would supersede letters. Experience showed the reverse; and in 1841 *one-fourth* of the whole correspondence of the United Kingdom was carried over the Birmingham rail road. The extension of rail roads in England has eminently promoted the increase of correspondence. In the United States similar results must follow the increased facilities of intercourse, and aid the development of the resources of the department. It would seem, however, while the English people write so many more letters, those of the United States read by far the greater number of papers. According to the report of the Committee of the House of Commons, there were 44,500,000 newspapers passed through the post office. The late report of the Post-Master General states the number at 55,000,000 which were mailed in the United States for the past year. It would seem from this, that by reason of the stamp, and the high price of newspapers in Great Britain, that letters are to some extent substituted. In the United States the reverse has been the case, viz., papers have been very cheap and letters very dear. Hence the community have derived the habit of writing on the margin of newspapers, by which means distant friends communicate news and exchange salutations. This is a practice exceedingly difficult to detect, and yet very prevalent, particularly in the New-England States. It is a matter of utter impossibility that any portion of 55,000,000 papers in wrappers can be opened and examined; and if possible, it would be to no purpose. The person who sent it cannot be known, and he to whom it is directed cannot be made liable. To stop the paper is to lose its postage. The government itself has, to some extent, encouraged this practice, by permitting newspaper publishers to inclose their bills in newspapers in order to save letter postage, being a kind of bonus to newspapers not extended to periodicals or any other business. The regulation requiring drop newspapers to be prepaid, has possibly some effect in checking this practice, but it can probably be eradicated only by a still greater reduction in rates.

VERSES.

Oftener have I been seen in funeral train,
  Than at the nuptial or baptismal fete;
From many loving hearts I've chased the pain,
  That they themselves would fondly aggravate.

Richly, O God! by thee have I been blessed,
  Nor power nor wisdom falling to my lot:
A fund of gaiety have I possessed,
  That sorrow's mourning spirit injured not.

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A HALT.

FROM THE FRENCH.

It is, in truth, an admirable spectacle, that which presents itself to the eyes of the traveller, when having reached the extremity of La Ferté, he beholds before him the little valley of Vizille, with its pebbly torrent, its verdant meadows, and its retired nooks, which extend afar to a horizon bounded by the mountains, that close on all sides the roads from France to Italy. Vizille is incrusted, as it were, in the middle of this valley; its greyish houses are suspended upon the border of the Romanche, whose waters dash noisily against the piles of rock and the huge trunks of oaks, which rise at the foot of the mountains. On the left appears a magnificent chateau, which seems to protect the petty dwellings which surround it.

On the eighth of March, 1815, two men were seated in one of these small houses. They were discoursing together, while a young girl filled their glasses with the common wine of the country; one of them was an old man, half paralytic, the other, a true specimen of those warlike mountaineers who have been seen in the heat of battle, whether beneath the burning sun of Egypt, or upon the ice of the Beresina.

"You say, father, that he will not return. He is the man to try it. Does he not know that the Restoration has restored us nothing, and that, without him, there is no more honor, no more glory in France! And has God decreed that our fair country should be governed by a king who cannot march, and by five or six obstinate old heads, who understand nothing of the trade? But he! oh, he! that is another matter! he marched as quick with his legs as with his eyes, and when he said to us, 'at noon you will fight; at six all will be finished, and then you will repose,' why, at five and three-quarters the enemy were routed; it was quick work then. Well, well, go and tell Madame Restoration to do as much. Ha! ha! she will take a year to make up her mind, two to take a step, and at the moment for beating the charge, she will be fast asleep, or she will turn and run a second time. You know, father, she has good legs for that."

"It is madness, my boy, madness! They hold him fast, and he will not escape from the island of Elba. The curate has told me that he is guarded by Russian, Prussian, Austrian and French *gend'armes.*"

"The French will never serve as gend'armes to watch their emperor, and in such bad company, besides. As for the little corporal, he may perhaps say some fine morning, "I will remain here no longer—I will no longer see them devour France; I have not fought a hundred battles that they should teach my guard to hear mass. Then there will be no more a Napoleon in the island of Elba, than a Madame Restoration in the palace of the Tuilleries twenty-four hours after."

As he said this, Raymond's face (this was the name of the mountain soldier,) assumed an expression almost fearful; his eyes flashed fire, and his nails were imprinted in his flesh, as he struck his clenched hand upon the table.

The old man of La Ferté looked upon his son with an air of pride. He loved to hear him recount his deeds of arms: but had acquired the habit

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of perpetually contradicting him, in order to bring out more openly the feelings of his heart. Accordingly, he rose from the table, shrugging his shoulders, and cried to his son, as if uttering an anathema:

"And I tell you that he will not return!"

"*Sacrista!* father, if it were another than yourself who had the audacity to hold such discourse in my presence, I would break my glass against his face, thus!"

And the glass, hurled violently against the wall, was dashed into a thousand fragments. But Raymond at once held out his hand to his father, and said:

"I did not mean to insult you; I know the respect that I owe you,—I am a dutiful son. But when I hear some things I cannot control myself. Stay, do not say anything more to me of that sort; for, do you see, he has clasped my hand at Marengo, has tapped my cheek with his right hand at Jena, has pulled me by the ear with his left at Wagram. Father, I shall see him again; we shall meet again; here, here in my heart there is a hope which whispers to me, 'Raymond, have courage!'"

At this moment, while the eyes of the mountaineer were suffused with tears, the door was opened, and Napoleon appeared upon the threshold; then, with that clear voice which echoed so thrillingly in the hearts of the brave, he said, placing his hand to his small chapeau:

My friends, your emperor demands of you a moment's hospitality for himself and his train. The north wind is blowing; it is an ill time to descend the mountain."

A cry of surprise was the sole answer of the old man and his son. The former was obliged to lean against the wall to prevent himself from falling; the latter stretched his arms toward heaven, and would have cried, "Vive l'Empereur!" but his voice failed him, and he remained motionless, with open mouth.

After having gazed for a moment at this scene, Napoleon reached his hand to Raymond, and said:

"We are old acquaintances."

"It is true, sire," replied Raymond, with a faltering voice.

"You were wounded at Moscow?"

"It was nothing; it was for you, sire. They have been doing fine things since you went to repose awhile at the island of Elba; but now that you are here—"

Napoleon turned to several officers who had followed him, and said, in a tone of satisfaction:

"They have tried in vain; they have not been able to pervert the army."

Raymond exclaimed: "You will find us all the same, my emperor, I answer for it!"

The mild warmth of spring had succeeded to the chill north wind. Napoleon was preparing to continue his journey, when turning towards Raymond, he said:

"You will not leave your father. He is old, he has need of you. I was wrong to forget you, but so many of you were brave, that it was difficult to remember all. Here is the cross of honor, you have deserved it."

"Pardon me, sire, but I cannot accept it."

"How?" cried the emperor, and his face darkened.

"When I have had the honor to escort you to the Tuilleries, then, sire, it will be time."

"You are a brave fellow; come, then, since you wish it, I will take care of your father."

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"Thanks!" cried the old man, "Raymond will do his duty."

"Oh, yes, my emperor, if I return, why, we shall have routed them, these allies; if I do not return, why, I shall have died upon the field of battle."

Upon the road, Raymond had advanced in front of the train to head the march, uttering frenzied cries of "vive l'empereur!" and gathering around him a little army of mountaineers, who were enraptured at the return of their great emperor.

Napoleon pursued his journey amid this crowd, his head erect, gazing at times at the steep mountains, the gloomy forests; measuring space with his eagle glance, and often passing his hand across his brow, as if to dispel the thoughts which thronged upon his mind. He appeared swayed by that force of circumstances which some call Destiny, and others Providence; he appeared still wavering in terrible doubt. Still they kept advancing; the shouts of joy grew louder and more frequent, and the mountain echoes repeated the name of the emperor.

At Vizille, the conqueror at Austerlitz was welcomed with universal acclamations. Every house was decorated with tri-colored flags. On the summit of the mountain which he was about to cross, shone the weapons of the guides; the neighing of impatient steeds was mingled with the cries of joy. Raymond, intoxicated with delight, rushed to Napoleon's feet, and cried:

"You see, my emperor, these likewise have not forgotten you! They all come to meet you."

A few moments after their glances fell upon the valley of Dauphiny, they could distinguish the white standard which floated upon the ramparts of Grenoble, contrasting strangely with the smoky turrets of Notre Dame. The Izere, like a serpent lying amid the verdant grass, seemed to stretch its head toward Savoy, and to bend its sinuous body toward the Rhone. A few regiments were drawn up in order of battle upon the ramparts of the city of Bayard; the heavy cavalry and the light horse formed a circle round the faubourg of Saint Laurent. Silence at once prevailed about the emperor; the mountaineers alone continued to wave their caps, repeating, impatiently, their joyous strains; for these, with their rude good sense, had divined the temper of France, and had actually estimated her sympathies.

On this side of a little bridge, between Aybain and Grenoble, a royalist, at the head of a small band, flourished a cocked pistol, and cried furiously,

"Down with the Corsican! down with the tyrant! He shall not cross this bridge except over my body."

Raymond soon found himself face to face with the man who uttered this hostile cry; his eyes flashed like those of a tiger when chased across the sands of the desert by African hunters. The royalist turned pale, the pistol fell from his trembling hands, and he concealed himself quickly beneath the bridge; the emperor crossed it, borne on by the crowd which thronged from every road.

At Grenoble he was received with the same enthusiasm.*

* On the day following his arrival at Mâcon, the emperor received the congratulations of the National Guard and municipal corps. One of the mayor's colleagues thought it his duty to speak on the occasion, and pronounced a long harangue, which, more than once, excited the hilarity of those present, and of Napoleon himself. The orator did not allow himself to be disconcerted, however. He poured forth his bombast without omitting a single word. When he had finished, Napoleon said to him:

"You were greatly astonished, then, when you heard of my landing?"

"Ah, *parbleu!* yes," replied the colleague; "when I heard that you had landed, I said to every body here, 'this man must be mad; he will not escape!'"

Napoleon could not help laughing at his simplicity; then, with a pleasant air, he dismissed the assembly and its grotesque orator.

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We will leave to history the care of tracing this memorable journey, this conquest, so glorious and so rapid, of a sovereign so dear to the country—a conquest that cost not a single tear, and that gave to France a hope, which unhappily expired at Waterloo. Is is here that we will meet our faithful Raymond once more.

After having fought like a true soldier of the Old Guard, he fell some moments before the famous reply of Cambronne. The battalion of escort, in retreating, gave him a glimpse of the emperor. A last cry of "vive l'empereur!" was heard, a cry as energetic as that which welcomed Napoleon in the cottage of La Ferté. Napoleon paused, and fixing a melancholy glance upon the brave soldier,

"My friend," he said to him, "there is no longer an emperor."

At hearing these words, Raymond brought his hand to his heart, as if to protest against this decree—then he expired.

POLITICAL PORTRAITS WITH PEN AND PENCIL.

CHARLES H. HASWELL.

We have heretofore confined our portraits to eminent party leaders, but now include, in the person of the chief government engineer, a representation of the mechanical profession. In this age of steam, there is no class of men who exercise a more extensive influence on the condition and destinies of their race, than that of our engineers. Rail-roads intersecting, not kingdoms and states merely, but continents—not to say hemispheres, and lines of steam-ships, bringing remote quarters of the globe into immediate intercourse and connection, making new elements altogether of time and distance; revolutionizing the fortunes of nations, and changing even the character of the individuals who compose them—all this is the work of mechanical science, and renders its ministers and disciples the class which, above all others, has given its form and pressure to the age.

Occupying a place of the highest distinction among his profession in this country, the subject of our present sketch deserves a more extended notice than our imperfect materials will enable us to furnish. Charles H. Haswell, engineer-in-chief of the navy of the United States, was born in the city of New-York, in the year 1809, and there received a classical education, with a view to ultimate professional pursuits. At an early period, however, his attention was directed to mechanical science, and at the age of fourteen, with no other aid than was to be derived from very limited opportunities of observation, constructed the working model of a steam engine. The decided tendency of his mind to these pursuits, naturally attracted the attention of his friends, and gave direction to his future career. In 1828, at the earnest solicitation of his friends, he entered the establishment of James P. Allaire, so widely known as the constructor of all descriptions of steam machinery. Here he made rapid attainments in the practical details of his profession, and in 1836, he was selected to superintend the construction of the engines and boilers of the United States Steamer Fulton, then on the stocks, waiting to receive her machinery.

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When this vessel was completed, he was attached to her as chief engineer, and in that capacity, accompanied her on her cruise along the coast, visiting our principal naval stations. In 1839, he was selected as one of the board of Naval Officers, Engineers, and Contractors, to which the duty was entrusted, of planning the frigates Missouri and Mississippi, and designing their steam machinery. He was then appointed to superintend the construction of the engines and boilers of the first named of these vessels, and in 1842, joined her as chief engineer. On returning from a cruise in this much-admired but ill-fated frigate, in the West Indies and the Gulf of Mexico, he was detached from her, and was employed in designing the engines and boilers for the several propeller steamers, which were at that time in the course of construction for the revenue marine. His professional resources, his assiduous devotion to the duties assigned to him, with his celebrity and success in disposing of them, could not be permitted to pass without their proper recognition, and in the year 1842, he was raised, with the general approbation of his associates and competitors, to the position which he still occupies, as engineer-in-chief of the navy of the United States.

Mr. Haswell was the first engineer appointed in the naval service, as early as the year 1836, and was instrumental in procuring the passage of the act of Congress, authorizing the organization of the engineer corps in that department. For carrying out the objects of that important enactment, he rendered the most material assistance; and it is, in a great measure, owing to the salutary measures by him suggested and put in exercise, that the country is indebted for the efficacy and high character which now distinguish the engineering corps of our navy. The rules and regulations for the admission and promotion of engineers, promulgated by the Navy Department, in 1845, have not only commended themselves, by their successful operation in our own service, but have been considered so eminently well adapted to accomplish the purposes for which they are designed, that they have been made the basis of similar codes in other countries.

The labors of the engineer-in-chief are multifarious, and would be oppressive to any one of less zeal, assiduity, energy, and devotion to science, than Mr. Haswell. Besides the daily and ordinary routine of planning and drafting the machinery for the steamer, in the course of construction, and that intended, renew, replace, and improve the machinery of the old steamer in commission, he is called to examine and report upon numberless new projects in connection with naval science, which the ingenuity and enterprise of our citizens urge with all the enthusiasm and favor of inventions, upon the attention of government. In executing this most important and interesting branch of his duties, Mr. Haswell manifests a just appreciation of the works of his co-laborers in science, reasonably modified and controlled, as it ought to be, by a just sense of his official responsibilities. He is patient in examination, cautious in arriving at conclusion, and decided in his expression of them, however they may touch the interests or excite the hostility of the parties affected by them. But, with the obvious tendency to be on the safe side, as a conservator of public interests always ought to be: where really meritorious and practicable improvements are submitted to his judgment, he does not hesitate to speak his approval in no measured terms. We have now before us, just issued from the press, a very elaborate and well-considered report from his pen, made to the Treasury Department, in reference to the apparatus attached to the boilers of the revenue steamer Legaré, by captain Ericsson, for the purpose of furnishing them with a continual supply of fresh water. It is a model composition of its class, and shows, that in practising with his compasses and pen-

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cil, Mr. Haswell has not neglected the use of his pen. In passing, we may say that this is not the only proof of his abilities in this way, as his invaluable little manual for the use of engineers and mechanics, of which our friends, the Harpers, have just exhausted the fourth and much improved edition, abundantly testifies.

Thus much for the public career of Mr. Haswell—and here we must pause. His face, fronting our title page, must speak for itself, and we will not intrude so far upon private life, as to say what we might wish to say of his personal character and merits. They who most deserve esteem and applause shrink from any public expression of it; but we cannot offend by our good wishes, or the utterance of them. We may be allowed, then, to hope, for the subject of this hasty sketch, that he will realise, in his future career, the promises of the past, and establish a reputation in his profession which shall be as permanent as it is already distinguished.

MY OLD COAT.

Be faithful still, O Coat, beloved though poor!
  We feel together the approach of age:
Ten years my hand hath brushed thee, and no more
  Could have been done by Socrates the sage.
If cruel Fortune to thy threadbare stuff
        Should new encounters send,
Like me, philosophise, to make thee tough:
        We must not part, old friend!

Good is my memory: I remember well
  The very time when first 'twas mine to don thee;
'Twas on my birthday, and our pride to swell,
  In song my comrades passed their comments on thee.
Despite thy seedy, creditable air,
        Their arms they still extend;
All still for us their kindly fetes prepare:
        We must not part, old friend!

Thou hast a patch behind—I see it yet—
  Still, still, that scene is treasured in my heart:
Feigning one night to fly the fond Lisette,
  I felt her hand forbid me to depart.
This outrage tore thee; by her gentle side
        I could not but attend—
Two days Lisette to such long work applied:
        We must not part, old friend!

Have I e'er scented thee with musk and amber,
  Such as the fop exhales before his glass?
Who hath e'er seen me in an antichamber
  Make thee await some great man's leave to pass.
For bits of ribbon's sake, all France, so fair,
        Long time did discord rend:
I in thy button-hole gay field-flowers wear:
        We must not part, old friend!

No longer fear those days of courses vain,
  In which our destiny alike was fixed—
Those days made up of pleasure and of pain,
  When rain and sunshine were together mixed.
Soon must I doff my coat forever here—
        That way my thoughts will tend:
Wait yet—we'll close together our career;
        We must not part, old friend!

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THE CULTURE OF IMAGINATION.

"There are two things in the outer creation, which, according to the great Hermes, suffice for the operation of all that is wonderful and glorious—Fire and Earth. Even so, my child, there are in the human mind two powers that effect all of which our nature is capable—REASON and IMAGINATION. Now mankind, less wise in themselves than in the outer world, have cultivated, for the most part, but one of these faculties. They have tilled the *earth* of the human heart, but suffered its *fire* to remain dormant, or waste itself in chance and frivolous directions."—BULWER'S *Godolphin.*

A SURVEY of the powers of mind, in comparison with their actual exercise and range of cultivation, cannot fail to impress us with a conviction that there is a defect in their relative measure of attainment. The directions given to mental exertion have been determined by the more pressing, and at the same time, more transient requirements of occasion, rather than by the great wants of humanity,—by the necessities of the individual more than of the race,—in short, by accidental circumstance, rather than by any enlightened system of education, derived from the contemplation of man's nature as a complex whole. Hence, most of us feel that we do not attain the happiness within our reach,—that there is a strange want of correspondency between the actual and the possible,—that our life is by no means a full expression of its own capabilities.

Man has been variously described as a laughing—a talking—a rational animal. And yet it would seem that neither his laughter, nor his speech, nor, perhaps, even his vaunted reason—so widely separates him from the lower creation, as does that wondrous quality of thought which we term (though not most appropriately) Imagination. It would be difficult accurately to discriminate the limits of this element of mental action, or to exaggerate its influence and importance. It ministers in the most ordinary as in the most valuable offices of human occupation. The solemn teachings of history, the high abstractions of science, the delights of social communion—all derive their life and their efficacy mainly from the imaginative principle. It embraces so much of our thinking part, that where it roams, there is our presence, our consciousness, our being. As the handmaiden of Memory, it leads us to the buried past;—the very nurse of Hope, it pictures for us the unborn future. With wingless flight it "wanders through eternity," and unheeding time and space, finds home in a world of light and melody more glorious than ought that bodily "eye hath ever seen, or ear hath heard." It is to this principle that our theology has given the name of *soul*, as though it alone were worthy to partake of the immortality of its Creator. And, indeed, it is this that, more than any reasoned process, gives us assurance of our spiritual existence, and its continuance beyond the grave;—forever rising up within us to contradict the tendency of science to materialism.

The trees that bloomed in Eden—the crowning charm of that fair garden—endowed with the mystic boons of knowledge and of life, form no unfitting types of man's twin attributes—the investigative and creative faculties of mind: those sunward-expanding principles which, thirsting ever after truth and beauty, have for their empires Philosophy and Poetry, and which, in their high development, take the names of Talent and

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Genius.* Wisdom for the intellect, the winged thought for the soul: for the Reason, *knowledge*; for the Imagination, *life!* Man has nourished the rational faculty, but he has too much neglected the living fruit. Hence are we swayed by cold and calculating policy more often than by charitable impulse. Hence are our theories so much wiser than our practice. The head has outgrown the heart; not that we know too much, but that we feel too little. To this must we attribute "the abuse of all invention for abridging and combining labor, to the exasperation of the inequality of mankind. From what other cause has it arisen that the discoveries which should have lightened, have added a weight to the curse imposed on Adam? Would it not be among the most inconceivable of paradoxes to a higher and happier intelligence, that one portion of a brotherhood—and *that*, the most needy—should attain a more oppressive poverty,—"a lower depth" of wretchedess, by the agency of those very appliances of ingenuity which demonstrably add vastly to the aggregate power and riches of the whole? How impossible a result, if our philanthropism were as world-embracing as our mechanism,—if our conceptions of the universal pain and pleasure kept progress with our intellectual growth,—if our faculty of projecting thought and consciousness beyond the circle of self, were as well developed as our capability of determining "the fitness of things" within that narrow circle.

To illustrate these assumptions, we must distinguish between the proper modes of action of these differing powers. It is the office of the rational faculty to investigate relations, and to decide upon their correspondence:—of the imaginative, to distinguish qualities with reference to their power of giving pleasure. The one regards *agreement*, the other *agreeableness*. The one may be considered as acting through reflection, the other as acting through consciousness: the one as being in its simplest element, perception,—the other, sensation.

It is the sensitive principle that must ever form the incentive to the teachings of the perceptive one. The latter but discerns; it is the other that impels.† In vain do we discover a path that is direct and open, if we are furnished with no motive for walking therein. It is not sufficient that it leads to an object: that object must be itself desirable. The Will must be addressed as well as the Understanding. Conviction is ever useless till accompanied by persuasion. These considerations are of importance to prevent our seeking from the one principle, results appropriate to the other. By recalling the difference of their operation, we shall be the better able to appreciate the peculiarities of each, as well as to discern how incompetent to the production of action or of happiness, is either separately. We shall find that if one power leads

* "Talent convinces,—Genius but excites;
This tasks the reason, that the soul delights. * * *
Talent, the sunshine on a cultured soil,
Ripens the fruit by slow degrees,—for toil:
Genius, the sudden Iris of the skies,
On cloud itself reflects its wondrous dies;
And to the earth, in tears and glory given,
Clasps in its airy arch the pomp of heaven!"—BULWER.

† This distinction has been well marked by Hume in one of his Moral Essays: "Reason being cool and disengaged is no motive to action, but directs only the impulse received from appetite or inclination, by showing us the means of attaining happiness or avoiding misery: Taste, as it gives pleasure or pain, and thereby constitutes happiness or misery, becomes a motive to action, and is the first spring or impulse to desire and volition."

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the mind chiefly to analysis, the other leads it to synthesis: that if one is the parent of science, the other is the parent of art.*

The Imagination may thus be regarded in a simple, yet comprehensive point of view, as that part of our nature which perceives and gives expression to the Beautiful: to the beautiful wherever it exists,—whether in motion or in form, in color or in sound, in sentiment or in action. It has thus a twofold function, it both receives and it produces; it has both a passive and an active employment, and the latter is at once the fruit and the nourishment of the former. The perception of beauty is Taste; its expression—Poetry; and the one springs from a high development of the other. It is the intense impression of a new-found loveliness, which, yearning after sympathy, impels the loving soul to body forth its lofty Idea in whatever form of statue, of painting or of poem it may have conceived it, that other souls may share with it the ecstacy of admiration. It is but the sensitiveness of the imaginative faculty that gives it its creative power. The true *poietes* is but one of deeper feelings—of a more refined and impressible taste than other men. Like the spirit of the fleeting breeze, he sweeps over the heart-chords of humanity, that he may awaken in other tastes a unison with the thrillings of his own: and it is thus that he becomes the Artist, and is hailed by the world's gratitude—*creator.*

Taste is universal; it exists in some degree in every soul—a part of its immortality. It is, in the high thought of Channing, the germ of a future glory, the infant energy, which, confined by an earthly prison-house, "is perpetually stretching beyond what is present and visible, * * * * and seeking relief and joy in imaginings of unseen and ideal being." It is the spirit's prayer for union with a something without and above the unit—self. Like the delicate heliotrope, it is forever struggling — with irrepressible and insatiate longing—towards the source that yields it warmth and light. Its action is summed up in one deep word, and that is, Love. As the great laws of Attraction in the material world, so is that of Love in the spiritual,—the principle that, pervading all things, binds them together, and draws them into harmony. And the petty hate and the discord are but the limited repulsions which, acting through their little spaces, serve doubtless to work out the great purposes of nature and of destiny. The poet has sung that "Life is love;" and the sentiment bears within it a deeper truth than perhaps even the poet has fathomed—prophet though he be, of philosophy. Life is but action; and action ever springs from impulse, which is desire. It is desire—a sense of beauty—that makes both the life and the principle of our spiritual nature: we really "live" only as we enjoy.

The high province of Imagination is to elevate and refine mankind. It acts by apprehending the poetry around and beyond us, and by assimilating it to our own nature, it makes us partakers of that poetry,—the exponents of that grace and that beauty. "Its great tendency and purpose is to carry the mind above the beaten, dusty, weary walks of ordinary life; to lift it into a purer element, and to breathe into it more profound and generous emotion. * * * * It is not true that the poet paints a life which does not exist. He only extracts and concentrates, as it were, life's etherial essence,—arrests and condenses its volatile fragrance, brings together its scattered beauties, and prolongs its more re-

* "There are two avenues from the little passions and the dear calamities of earth—Art and Science. But art is more godlike than science; science discovers, art creates. * * * The astronomer who catalogues the stars, cannot add one atom to the universe: the poet can call a universe from the atom."—*Zanoni.*

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fined, but evanescent joys: and in this he does well, for it is good to feel that life is not wholly usurped by cares for subsistence and physical gratifications, but admits in measures which may be indefinitely enlarged, sentiments and delights worthy of a higher being."*

To the imaginative mind, "there is beauty everywhere." All forms and objects teem for it with spiritual meaning. The commonest clay may to its Promethean touch become instinct with a living grace;—for it, the simplest leaf seem trembling with a hidden sympathy;—the very air be full of music-whispers. Nature becomes to the poet a joyous and pervading presence—an overflowing spirit, with whom he can forever hold sweet converse—as with a tender and loving parent. And these pleasures which the sensitive soul finds thickly strewn around it, lie within the reach of all who will but open their inward eyes, who will but feed their native and unerring instincts. "Why does the rose give forth its odor," asks an eloquent writer, "and the scent of the lavender and of the mignionette steal viewless upon the still air around us, and the blooming bean and the new-mown hay outscent all the preparations of the apothecary, if it be not to wile us into the garden and the field, in order that we may breathe health, and at the same time cull pleasure and instruction there? Wherefore sings the breeze in the forest, why whispers the zephyr among the reeds, and how comes it that the caves and hollows of the barren mountains give out their tones, as if the earth were one musical instrument of innumerable strings, if it be not to tempt us forth in order to learn how ever-fair, ever-new, and ever-informing that great instructress is, who speaks to all the senses at one and the same instant? * * * And wherefore, when the sky is clouded, and the blackness of darkness shades the landscape, is the arch of hope, with its seven-fold glory set in the rain-cloud, if it be not for us to look, and admire, and learn?"†

Blessed is that prerogative of thought which draws light and beauty from the storm and the darkness;—which finds "a soul of goodness in things ill;"—which irradiates with its own exceeding splendor all things upon which it looks;—which feeds the mind with happy memories, lofty aspirations, fond imaginings, and their ever-glorious fruits of Trust, and Hope, and Love. Happy is he who most has cherished this joyous and life-giving attribute.

In early childhood, we see this quality developed by kindly Nature, apparently even in advance of rational power. The doll and the hobby derive their value to the happy child,—solely from its faculty of investing them with a spirit and a life. Its toys and its sports all have a charm of meaning drawn from its lively fancy. And the earnest eye and parted lip of the young listener to some artless tale, attest the vivid sense of ideal presence which its thought inspires.

In maturer years, this principle, instead of being fostered and improved, is almost totally neglected or repressed. It is regarded as the useless endowment of prodigal nature,—a devious propensity—carefully to be restrained, as unfavorable to the lessons of a necessary prudence. The enthusiasm of youth is laid aside by manhood, as the undignified relic of giddy days,—designed for no high end. Most deplorable of errors! Most ungrateful rejection of one of the greatest of God's great gifts! As well might we pluck out the eye, lest we should have too much of light. Danger of our imagining too highly—hoping and loving too deeply—daring too greatly!—As well might we fear of reasoning

* Channing. † Mudie's "Observation of Nature."

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too profoundly—of knowing too wisely. As well may we abjure the truth, as shun the beauty. We cannot see too far: we cannot crowd too much of *life* into the few years that form our earthly sojourn.

"But will not these visionary tendencies disqualify us for the sober and stern employments of duty, and interfere with that success in the business of life, which every rational mind must desire?"—If "the business of life" is supposed to consist in straining every energy to the one design of pecuniary gain,—if a business talent is exhibited in the ready power of making the "best bargain" of our brother's necessities—a skill in *purchasing* his invaluable birth-right with our superfluous mess of pottage,—then would a cultivated fancy indeed but little qualify us to become "business men." But in every true fulfilment of the offices of life, how incalculably higher and stronger would be our purpose and our power.

"Shall we then listen to the wild impulses of an unrestrained imagination, rather than to the sober dictates of reason?—or which shall be most neglected?" Most unwise questionings. Which may best be spared from harmony—the tenor, or the treble? Which is most essential to sight—the eye, or the sunbeam?—There is no rivalry between these faculties; there should be no divorce. The masculine and feminine principles of mind, they should ever grow in sweetest, closest union; and from that union ever spring all glorious things.

So intimate is the relation between them, in point of fact, that a high development of the one will indirectly advance the other,—however much it may be neglected. The frequent and unrecognised demands of science upon the imaginative power, have given it exercise and strength, even though it has received no kindlier nor directer training. It required a mighty reach of fancy beyond the belief that suspended the starry lamps from a solid firmament—"to give light by night,"—when reason showed that our sun was the nucleus of a family of habitable worlds like this we live upon, and that "the twinkling eyes of heaven" were other suns more glorious yet than ours. It was a higher flight when all this countless host was looked upon as forming a single harmonious system—upon whose wide-spread galaxy our sun itself was but a feeble and obscure borderer. And when at last the tube of Herschell revealed far—far off in infinite space, a multitude of separate fleecy cloudlets—mighty systems—each like the universe of stars around us,—then did imagination spring with free and joyous pinion to where the lightning flash should spend a hundred thousand years in reaching;—for at such a distance are some of the visible nebulæ computed.

Let it not be said, that we are indebted solely to the calculating power, even for the great *discoveries* which have enlarged our knowledge. If science discovers, it is art that invents; and invention ever lends to discovering its broadest wings. If observation revealed to Galileo the mimic system of Jupiter, or to Herschell another brother planet and its satellites away in dizzy distance, it was creative ingenuity that first gave them the means of these high discoveries.

But perhaps the last great triumph of intellect in these our days,—the patient calculation, which, solving a majestic problem, told with unerring certainty, where should be found an unseen world—thousands of million miles remote,—perhaps this may be pointed to as an instance of what pure science has accomplished unaided by such appliances. It is indeed a grand example of the mind's supremacy,—an exultant illustration of the power of human thought, to fathom the plans of nature, and enter, as it were, the council chamber of creation. But let us look at the

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beginnings of this heaven-scaling achievement. A thousand shrewd philosophers had seen the falling apple, and had thence inferred some mystical attraction in the earth: reason could guess no further. And so it rested, till Genius came and looked upon it, and with the flight of inspiration, seized upon the law that holds together the universe. No feeble exercise of fancy was it that saw in the simplest phenomenon of every-day life, the operation of the principle that guided suns and infinite systems in their eternal courses. It was *imagination* that raised the wondrous dream-ladder—resting upon stones yet lost in heaven—upon which Le Verrier mounted to a star!

We are not such merely reasoning beings as we are too apt to suppose. We cannot tell how much of truth may lurk in the wildest dream; we know not when we *grasp* a truth, how much of it has been revealed to us by the intuition of creative instinct. In vain would we strive with jealous care to separate these embracing principles, or to define the limits of their operation. Not so do they tend to act. Their loftiest triumphs are ever those of their united working. The highest flights of poetry are those which teach us highest wisdom; and science rises with but a flagging wing, when it rises alone; so much does the first assist the latter,—so much the latter guide the first. Justly does Bulwer argue, (through Ernest Maltravers,) that "all philosophy is incomplete and unsatisfactory, which bounds its inquiries to the limits of the known and certain"—that induction should be "carried out to conjecture as well as to fact; and that Newton and Copernicus would have done nothing, if they had not imagined as well as reasoned,—guessed as well as ascertained."

And yet there have been those, who have called fancy the enfeebler of intellectual power, as though the one could be cultivated only at the expense of the other. Will it be said that Bacon would have been more profound a philosopher, had he been less a poet?—or that Hobbes would have reasoned less acutely, had his ice-bound soul been irradiated by a gleam of human sunshine—a warming ray of faith in goodness? If he, the poet-sage of Athens, whose lofty teachings, dimly apprehended by his countrymen, yet fell upon their heart like the mystery of supernal music, and made them hail him "the divine,"—if he, beyond all his contemporaries, has colored with his thought all later time, and felt an influence—unacknowledged but immeasurable, and perhaps only less than that of Him of Nazareth—upon the literature and religion of the enlightened world,—is it not because in him, above all other ancient writers, transcendant genius illumined and ennobled a mighty intellect?—because, in short, of all philosophers, he was the most *imaginative?*

What power of calculation shall compute the exquisite delight, the gentleness of thought, the depth of generous aspiration, enkindled in the human breast by the painting, the song and the poem? Who may estimate or comprehend the grace and glory given to earth by the love-labors of the great Artists of the Beautiful?*—by the creations of a Homer, a Dante, a Milton,—of an Æschylus, a Sophocles, a Shakspeare,—of a Phidias, a Praxiteles, a Canova,—of a Raphael, an Angelo, a Titian,—of a Mozart, a Beethoven, a Weber,—(and may we not add,)—of an Epicurus, a Plato, a Jesus?

"But if the works of art have indeed such value, the man of wealth

* They who have employed their genius in the *execution*, rather than in the original *conception* of an embodied beauty,—as a Siddons, a Malibran, a Taglioni, a Paganini,—may also be properly styled *artists*, though they cannot claim rank with the great *poets*.

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can at least purchase all these blessings; he can collect together without limit—books—and paintings—and statues—of rarest worth, and thus be even richer than those who have produced them." Not so. The wealth of empires cannot purchase these. Without the divine gift—poor *millionaire*,—you do but gather soulless forms. To you, the statue can ever be but a cold and moveless block—wondrously fashioned. Not for you will it warm to life: not to you will it speak all lovely and loving things. The story of the Venus-gifted Pygmalion, truly typed the soul-transporting union of Genius with its fair Ideal. The poet's eye shall drink, in one brief instant, from some delicate embodiment of Art, or smiling grace of Nature, a delight which a lifetime of mere ownership cannot purchase. "It is not mere words to say that he who goes through a rich man's park, and sees things in it which never bless the mental eyesight of the possessor, is richer than he. He *is* richer. More results of pleasure come home to him. The ground is actually more fertile to him, the place haunted with finer shapes. He has more servants to come at his call, and administer to him with full hands." *

"But still, all this is but *imaginary*,—the pleasure is only ideal." There is no such thing as "ideal" pleasure,—if that word means *unreal*. It is a mere truism, to say that enjoyment is *actual* enjoyment, that all pleasure that exists—*really* exists; and it is idle to inquire whether the cause be a material one or not. A real effect is admitted, and that involves a real cause. Nay, if the reality of pleasure is to be measured by its degree, then is that which springs from a *spiritual* cause infinitely more real than that from a *material* one. But if the term "ideal" be used in its correct sense of "existing in *idea*," then is the objection but the expression of a metaphysical fact. All joy is but the pleasurable impressment of idea. There is no pleasure but ideal pleasure; and the closest discerner of "matter-of-fact"—who thinks he earns the title by discarding all most high and glorious matters of fact,—he still is indebted to the few ideas he does possess, for all the little enjoyments of which he is capable.

"But after all,—the real *value* of these things?"—persists the advocate of tangibilities: "However *agreeable*—imaginative pursuits, they will not clothe nor feed us. What kind of practical utility have they?" A great truth is the doctrine of utility—if it is only carried out. But its professed votaries are generally those who most restrict the application of their creed. Utility—if it have a rational meaning—must signify the capability of yielding happiness. As such, it is as strictly referable to the satisfaction of a mental—as of a bodily necessity; as referable to the flower, as to the fruit; as referable to the products of the creative—as of the investigative faculty. By no definition of this fundamental term, can reason exclude its sister attribute from sharing in this empire. All things are useful to us only as they give us pleasure. Our food is useful—simply because it satisfies a want; and even if, like the olden sage, we should "eat to life," (though by the way—no sane man ever did thus eat,) still will the utility of eating consist in the *gratification* of living. Grant, then, that cultivated taste can afford us enjoyment, and the admission is the strictest measure of its "utility."

It may be said, that "we can do without poetry, but we cannot without bread." Vain antithesis: futile distinction. We *cannot* "do" without poetry. Life utterly robbed of it, would cease to be life. There would be no "doing." The very dog can *dream*: what would man be

* Leigh Hunt.

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if *he* could not? To what purpose will he feed the body, if the enjoying and informing spirit be starved? What would there be worth living for? What will it profit him to gain the world, if he have lost the soul which can alone give it value? What can he receive in exchange for that? He will "do" as well unfed. The tree of life no longer blooms for him. If "bread" be indeed, as political economists tell us—the standard of material value, what higher food shall form the measure of spirit-worth? If earth and stones are "wealth," what better title shall be given to those unearthly products, which bring "wealth to the mind—wealth to the heart—high thoughts—bright dreams—the ambition to become worthier to love" and to be loved?

"Man shall not live by bread alone," said one, whom we profess to receive as Teacher; but oh, how feebly is the great truth realized! How still does stooping avarice seek to have the very stones made "bread." How little can it know that the mind truly *lives* by every word and thought proceeding from the source of truth and beauty.

And the value of these immaterial pleasures does not end with their immediate fruition. They have a permanent usefulness: they leave a lasting benefit to the mind;—improving the taste, and making it more keenly sensitive to all other true enjoyments. There is no satiety; and hence the truthful saying,

> "A thing of beauty is a joy forever;
> Its loveliness increases."

And this is a presentation of "utility," which the most "practical" of reasoners can comprehend. If he can see no other merit in the fine arts, let him learn that they soften and ennoble the human character—both in the individual and in the mass; that they render man less capable of crime, and that they thus form no inefficient preventives of the scourge and the axe,—the dungeon and the gallows. As they have been fostered, have nations advanced in intelligence and refinement; as they have been neglected, have the opposite results ensued. The philosophic Polybius in noticing the singular contrast between the Cynætheans and the other Arcadians, in delicacy, gentleness, and humanity, attributes the superiority of the latter, solely to their high and universal cultivation of *music*, and to the total want of it among the former.

By many persons, the "poetic temperament" has been supposed to act unfavorably on the social and domestic feelings; and examples have been appealed to, in support of the opinion. A mighty bard of recent times has formed a frequent and familiar illustration of the position—a bard whose deep-toned lyre seemed strung only to teach the falsity of "faith and hope and charity,"—the utter "vanity of all things." The inference is founded on a defective view of the variety and complexity of imaginative power, and the extension of its appropriate action. It seems not to be considered, that this poet's genius was essentially limited within a very narrow range of thought—however vivid its conception or strong its passion within that range. It was no healthy nor vigorous fancy that could see beneath the loveliest face "a grinning skull," and yet be blind to the divinity enshrined in that cunningly carved temple. It was no really strong and expansive power of conception, that could brood forever over the wrongs of self, almost unconscious of the deeper wrongs of others. It was the deficiency—and not the excess of this great quality that formed the blight upon the soul of Byron. In proportion as he did enjoy the divine vision, was he a better man than he would

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have been;—in proportion as that vision was feeble and restricted, was his great mind less noble than it should have been. For confirmation, let us turn to the contrasted being of a poet mightier than he, in loftiness and delicacy and gorgeousness of imagining. Let the pure life—the all-unselfish, spirit-loveliness of SHELLEY, refute the weak and wrongful thought, that "a brilliant imagination is seldom or never accompanied by a warm heart." * A startling blot were it upon the fair face of Nature, if these two of her best gifts to man, were thus incompatible,—if one destroyed the other. But it is not so. The heart is the very instrument upon which bright fancy sounds all tender melodies. Those most have hearts, who most have souls: and the simplest good man upon earth, who sees and worships the idea of moral beauty, in kindliness and earnestness of purpose, possesses in high degree the etherial fire, however deficient he may be in its more obvious manifestations.

The true relation of the imagination to our moral and social character, appears to be generally but very little noticed. As the principle that takes cognizance of beauty, it properly embraces all that pleases us in human conduct, and lies at the very foundation of morals. It regards the qualities of action and of being, no less than those of sentiment or form. Virtue indeed may be defined as the poetry of conduct:—the very offspring of the creative faculty; for it is as much "an expression of the beautiful" as the cunning statue, or the magic painting. A deed of heroic daring and self-devoted generosity is a poem—higher than the epic. It is addressed to a higher taste; it awakens a deeper enthusiasm of admiration. It is *moral* beauty that constitutes the poetry of the drama: it contributes mainly to that of the narrative muse.

Ethical writers have too much overlooked this bearing of their subject. They have been so occupied with the principles of the "law," as almost to lose sight of those of the incentive. They have contemplated results rather than causes,—tendencies rather than motives. Hence the cold utilitarianism of Hobbes and Paley. Hence the prevailing inclination to a mechanical philosophy, which would make ethics a department of mathematics. The fundamental maxim of the popular morality, appears to be, that "Honesty is the best *policy*." It *is* so—though, as Mrs. Childs has happily remarked, "policy never finds that art." The motto, however, is true as the expression of a fact, and not of a principle,—of an effect, and not of a cause. An inattention to this, has made the maxim hide a higher truth—that "Honesty is the best *beauty*." We accustom ourselves to look too much to the consequential benefits of well-doing, and too little to a sense of pleasure in the act,—too much to the succeeding, and too little to the accompanying gratification. And our moral sight becomes so strained by searching ever "the long-run," that it loses its susceptibility to the beauty immediately before it. And yet how superior in point of power and of dignity—in point of real self-enjoyment, is that incentive which, drawn from within, is ever present and enduring,—to that which, drawn from without, is too often uncertain and remote, and ever proportionally feeble. And further than this, the moral—like every other mental taste, is ever strengthened and refined by exercise; deriving power and nourishment from what it feeds upon;—its very gratification educing a higher capacity of enjoyment in the future.

Nor does this view of morals at all supercede the great doctrine of expediency: it only assigns it its proper sphere of operation. How-

* Blessington.

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ever a calculation of advantage may constitute the ultimate rightfulness of human action, it is obviously a consideration that can form no part of our admiration of the agent. Ratiocination does indeed determine the "right"—the *scientific* morality; it is a Moral Taste alone, that can make the "virtue"—the *artistic* morality. Were "utility," (in its common acceptation,) the measure of approval, the labors of the patient horse would be as justly entitled to the appellation "moral" as those of his master. False and ineffectual is all morality that makes not virtue ever self-sufficient:—its own being its highest inspiration,—its own action its best reward.

It is the undue separation of these two great provinces, and the disproportioned regard paid to the *objective*, above the *subjective*, that makes our convictions in the first so much in advance of our persuasions in the last. All vainly do we arrive at "the knowledge of good and evil," if we attain not also to the spiritual "life." Well might the gloomy Manfred exclaim,

> "*The tree of knowledge is not that of life.*
> Philosophy and Science * * * *
> * * * * and the wisdom of the world,
> I have essayed * * * * * *
> But they avail not."

All insufficient are these to satisfy the soul. Not here can it find happiness, for these are but the means. "It is not for want of admirable doctrines," said a brother poet, "that men hate, and censure and deceive, and subjugate one another. . . . . There is no want of knowledge respecting what is wisest and best in morals, government, and political economy,—or at least what is wiser and better than what men now practise and endure. We want the creative faculty to imagine that which we know; we want the generous impulse to act that which we imagine; we want the *poetry* of life."

The sceptic in the great gospel of human progression, has adduced this inequality of our growth in wisdom* and in goodness, to justify his unbelief. If compelled to admit the intellectual—he has denied the moral advancement of the race; and has urged the contrast as a proof of innate hopeless imbecility. A true philosophy ever seeks to discriminate, rather than to confound;—to seek the cause, rather than to rest upon the result. If the reproach is just, that we do not act up to our own convictions,—that while approving the precept—"whatsoever ye would that men should do to you, do ye even so to them,"—we are yet slow in carrying it out into a living practise, is not the very reason of it before us—in the weakness of our *sympathies*,—in our neglect of that faculty which alone gives life to knowledge—which can alone make the feelings of another truly our own? If our fancy could but strongly realise the sensations of those around us, would not our own impel us to regard them?

To quote again from Shelley's masterly "Defence of Poetry:"—"The great secret of morals is love; or a going out of our own nature, and an identification of ourselves with the beautiful which exists in thought, action, or person, not our own. A man to be greatly good, must imagine intensely and comprehensively: he must put himself in the place of another, and of many others: the pains and pleasures of his species,

* Properly speaking, wisdom includes goodness;—for the good alone are wise; but the word has been used in the popular looseness of acceptation, as synonymous with knowledge. It has been well said that knowledge is of the head, but wisdom of the heart. The one is the abstraction,—the other the application; the one the *science*, the other the *art*.

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must become his own. The great instrument of moral good is the imagination; and poetry administers to the effect, by acting upon the cause." Deep and scarce recognised is the truth which these words unfold; and warm is the hopefulness they enkindle—strong the faith in endeavor which they inspire. If compelled to mourn over the feebleness of the deed as compared with the thought, a high and encouraging wisdom teaches that,

> "It is our will
> Which thus enchains us to permitted ill.
> We might be otherwise; we might be all
> We dream of—happy, high, majestical.
> Where is the love, beauty, and truth we seek,
> But in our minds? And if we were not weak,
> Should we be less in deed, than in desire?"

Not by precept, however, shall this "weakness" be overcome. Not so would we think to give a muscle strength. Equally vain is the attempt by teaching—to improve imaginative power. If we *instruct* the reason, we must *educate* the soul. It is not by the in-building of truth, but by the *out-drawing* of capacity, that we can develope a moral quality, or a delicate perception in the fine arts. All taste is but the *sense*,—it is not "built," nor planted in the soul;—it is born with it, and makes part of it; and all that human might can do, is to strengthen this original capability by frequent exercise. The beauty and the goodness exist within: they but require to be *developed*—unveiled. Only by familiar employment on their appropriate objects, are they thus uncovered and "educed." It is their *action* that writes their character upon the mind.

It has been observed, that as man has given less attention and improvement to the imaginative than to the rational part of his mental nature, so in its moral department he has exhibited less advance in goodness than in knowledge. It is not true, however, that we are left without all evidence of progress even here. It needs no wide research through ancient history, to prove man's moral growth. A single glance at the dimmed chronicles of the Hebrews, will confirm the truth; and theology has ever thought it necessary to extenuate much of what is there portrayed, by reference to "the *darkness* of those days." If we turn to the later and fairer pages of classic record, a careful scrutiny will satisfy us that in the great aggregate, we have attained since then a higher moral standard,—that there has been an onward march in nobleness of soul—slight and imperfectly defined it may be,—but still progressive and decisive. If some have denied the evidence of this improvement, the Christian philosopher, at least, will hardly be willing to admit that the great Teacher of Morality has come into our world in vain.

A most interesting study would it be, to trace the various measure of development in the differing provinces of creative power as marked upon the chart of Time;—to observe and depict the branching growth of the tree of life in one direction, its slackened germination in another. But as yet, we could not fully apprehend—much less note and embody the delicate distinctions.

If in epic art Homer may still be claimed as "prince of poets" in originality and liveliness of fancy,—in that variety and *picturesqueness* of description which gives life to narrative fiction,—yet a Milton surpasses him in grandeur of moral imagining,—a Shakspeare infinitely transcends him in intense—inspired conceptions of humanity. If in statuary and architecture—(the poetry of *form*, and that which is soonest

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and most easily approximated toward perfection,)—we have made no perceptible improvement since the days of Grecian glory, in the more complex arts of painting and of music, (and especially in the latter,) have we reason to believe that our advance has been neither slight nor unimportant.

It is modern refinement that has given gardening to the fine arts. And what employment can be more congenial to the lover of the beautiful, than the tasteful disposition and intelligent cultivation of flowers—ever lovely—ever cheering flowers? What can exert a kindlier, healthier influence on the open heart, than frequent intercourse with their delicate and fairy forms? Symbols are they of all gentle meanings; the *artist* works of nature; the poetry of matter; nay, rather silent hymns of joyousness and aspiration of the vegetative Spirit. What messages of hope and love, and wisdom, do they not deliver. Do they receive their nourishment and grace from the coarseness of earth,—they teach how, from the commonest—homeliest things, may be drawn a blessing and a beauty, "would we observingly distil it out." Are they ever upward-springing, heavenward-reaching—after light and warmth,—let us learn how resolute should be *our* struggles for the intellectual and the spiritual. Do they repay judicious care and training, with a wondrous increase of loveliness,—what brightest promise do they type of the soul's improvability,—if but the laws of its being are regarded,—if but a rightful system of development be earnestly sought and carried out.

In connexion with the theory of a past advancement of the human race, a most seductive theme presents itself—in the relation of Imagination to the gradual elevation of the character of woman; and most of all, in the progressive influence of this principle in exalting and refining the affection which she inspires. The subject cannot be unnoticed, though it may not here be dwelt upon. Again and again, has it been remarked by close observers of the manners of olden time, that Love, in its true and comprehensive sense, appears to be almost the product of the Christian and chivalric age. We seek in vain through ancient poetry for that delicacy of sentiment, that tenderness of sympathy, that intimate union of soul, which distinguishes the present communion of the sexes, and which is so vividly stamped upon the creations of the modern muse. Were there no other ground for the enthusiast of hope to stand upon,—here might he fix his unquiet thought, and build a glorious prophecy of happiness and greatness. Here at least, can he rest upon an evident proof, that a mighty spiritual progress has been made by man, and in that which most ennobles him. And who shall venture to assign the limits of this progress?

Shall we indulge a dream of the high destiny held out in prospect to mankind, when all the faculties of his mind shall have been completely and harmoniously evolved?—Alas, imagination cannot as yet give form to that which shall be, and which its own agency shall bring about. Dim visions of unrealised splendor occasionally gleam for an instant upon the awakened mind—to dazzle and bewilder. Thought fails to comprehend itself. It bears within itself the infinite and eternal. The song that bursts forth in the exuberance of rejoicing power—ere it has filled its destined measure—subsides in very mystery of depth to a low and startled wail.

"Spirit of Beauty! that dost consecrate
With thine own hues all thou dost shine upon
Of human thought or form,—where art thou gone?
Why dost thou pass away and leave our state—
This dim vast vale of tears, vacant and desolate?

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Ask why the sunlight not forever
Weaves rainbows o'er yon mountain river;
Why aught should fail and fade that once is shown;
Why fear, and dream, and death, and birth,
Cast on the daylight of this earth
Such gloom; why man has such a scope
For love and hate,—despondency and hope.

* * * * * * *

Thy light alone, like mist o'er mountains driven,
Or music by the night-wind sent
Through strings of some still instrument,
Or moonlight on a midnight stream,
Gives grace and truth to life's unquiet dream!

THE BROKEN HEART.*

CANTO III.

I.

Aurora's smile awoke the World,
Backward night's circling vapors curled,
Into the raptured ear of Day
The lark poured his melodious lay—
And slowly Gamba strode the dell,
Unmindful of young Isabelle.
He thought not of his broken troth,
He thought not of that maiden's wroth,
Of all the pangs that she must feel,
Of all the heart cannot reveal,
When left o'er buried Hopes to brood,
And sigh itself away in solitude.
He thought not of those burning tears—
The lonely hours that must be hers
Through long and slowly rolling years,—
Oh! God! what torture's in those hours,
Whose wings hang drooping o'er the soul,
Like dead sails when ærial Powers,
Refuse the stagnant waves to roll!
'Tis as amid dim nothingness
Eternity did on us press—
Life's sluggish currents all stood still,
And Death had clasped us in his chill!

II.

At last, beneath a myrtle bower,
He paused, the slanting beams to shun,
And bending low to pluck a flower
Just opening to the morning sun,
All lowly laid—in Death arrayed,
He there beheld the Gipsy Maid—
Her eyelids calmly—meekly closed,
Her limbs becomingly composed
As those who lie in sumptuous hall,
Or temple draped in gorgeous pall.
Transfixed he gazed a moment mute—
Now on her brow—now on her Lute,
That 'mid the violets sighing lay
Deeply and true,
As if it knew
Its master-hand had turned to clay.
Then from his bosom burst a sigh—
Tears filled his eye—he knew not why,
And torn by many a painful thought
Of this poor Gipsy maiden's strife,
His home with solemn step he sought,
And sate him down beside his wife,
And told her all that he had seen
Of Death upon the dewy green;
Then sought his solitary room,
In past and present strove to find
The cause of this depressing gloom,
And melancholy of the mind—
Why from the first her Lute-tones fell
On his rapt ear like funeral knell.

III.

Young Leila's cheek turned ashy white,
And rising up she called for aid,
And like a sainted form of light
With solemn mien she sought the maid—
Laved her pale brow from silver cup,
And looped her silken tresses up—
Bedecked her form in snowy vest—
Her small hands folded o'er her breast
In meekest, and serenest rest—
The rosary said,
And bright tears shed,
As underneath the sod and deep,
They laid her down in her dreamless sleep.

IV.

Mean time, with many a pious thought,
The holy Friar Gamba sought—
Before him placed the garnered gold—
The ring that all his errand told—
To him the maiden's sorrows broke,
And much of faithless Lovers spoke,
Then coldly frowning turned and left
The paling Count, of Reason half bereft.

* First two Cantos published in Democratic Review for October, 1846.

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V.

He raised the ring—he scanned it well,
And read upon it "Isabelle"—
Then from his trembling hand it fell—
And Peace his bosom bade farewell—
Hope never oped her eyes again—
Joy—consolation came in vain.

VI.

There Valiant Knight and Beauty throng—
Gay is the dance—and gay the song,
That flows those sumptuous halls along;
Wine sparkles in the golden bowl—
Joy—mirth from every portal roll—
Each tries the most the fête to grace—
Who most can Gamba's grief efface,
That still defies Love's subtlest plea,
And every sound of revelry.

VII.

Few are the words that Gamba speaks,
Few are the pleasures that he seeks,
Fewer the moments that he lends
To Beauty and attendant friends;
No longer with convivial Lord,
He revels o'er the midnight board,—
No longer courts the festive hall,—
But mutely—coldly shrinks from all;
In darkest night he strides the dell,
Where sleeps the dust of Isabelle—
Paces around—and round her tomb—
Strews it with flowers of freshest bloom—
While every pulse rebounds with pain,
And Madness fires soul, heart and brain.
'Twas sad to see the blush of Youth
Give place to hues of sallow ruth;
'Twas sad to see his sunken eye—
'Twas sad to hear the hollow sigh
Escaping from his heart perforce—
But such is ever thy sure work, Remorse!
And Oh! 'twas sadder still to view
Young Leila's cheek assume the hue
Of flowers beneath the Autumn dew!

VIII.

It is the mellow twilight hour—
And Gamba sits in his cool bower,
His pale cheek resting on his hand—
His thoughts afar in Spirit-Land,
Lingering in eternal spell
Around the soul of Isabelle;
Nor heeds the gentle step of her
Who comes his lonely breast to cheer,
The limpid drops that trickle down
Her olive cheek and snowy gown,
'Till smiling through those sainted tears,
She kneeling at his feet appears.

IX.

If ever angels from their spheres
On mortals gaze with pitying tears,
They now look down and weep to see
Their thwarted love and misery—
Loud waft accordant prayers through Heaven
That Peace may to each breast be given.

X.

"Oh, Gamba! why this inward strife?"
Weeping, she said, "my light, my life!
Why sternly—coldly shrink from me,
As from a hateful enemy?—
What have I done to grieve thy heart?
To cause thy thoughts from me to rove?
Can I no more inspire thy love?
Flown from me all is Beauty's Art?
Am I less gentle—loving now,
Than when Heaven sealed our nuptial vow?
Less truthful—trustful unto thee?
Less happy in thy company?
I've followed thee along the glade,
Where sleeps the Gipsy minstrel maid—
Have watched thee by the brink and stream,
And heard thee murmur in thy dream
'O Isabelle—O Isabelle!'—
And down before the Virgin fell—
And prayed for power my fears to quell!
Oh! dost thou still refuse to wake
The inward woes thy mien declares?
Wilt thou leave this fond heart to break
Beneath this weight of wasting cares?
I could bear wrong—disgrace and pain—
Life's direst racks of heart and brain—
All other desperate freaks of Fate—
But never, Gamba, brook thy hate!
I've knelt at the confession chair,
Nor solace gained from Priest nor Prayer—
Here kneeling crave to know thy grief—
Oh break, or give this heart relief!
If this is frenzy—be it so,
I cannot conquer all this wo—
This holy Love, that from the first
Burned with a never-quenching thirst;
Nor will I murmur at my fate—
I may, perchance, deserve thy hate;
Yes! if 'tis guilt to win the heart
Of one so dear by any art—
And still to love so pure and well—
Then guilt is mine more black than hell
And this is but just punishment
By righteous Heaven upon me sent!"

XI.

"Leila, my dear—devoted friend,
Being in whom all Virtues blend,
Pardon the pangs thy breast I've given—
For me, Oh! waft thy prayers to Heaven!
I need them much—the peace—the rest
That never more may seek this breast—
This gnawing grief—this deep distress
Is not from any act of thine—
Neither because I prize thee less
Than when Heaven linked thy fate to mine—
But Oh! forgive the guilt I'd smother—
This heart was plighted to another
For whom I deemed affection flown,
Before I made thee all mine own—
But I have learned by suffering long
And anguish all for words too strong,
And my sad spirit's ceaseless moan
That we can love, but once—and one—
All other is reflected light—
Such as illumes the Queen of Night.

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The minstrel maid whose melody
Three weary years entranced this dell,
Was my affianced Isabelle—
A daughter of the Tuscan sky—
The fairest maid beneath the sun,
Whose hand I early sought and won—
Upon it placed this glittering token
Of vows that I have basely broken;—
She hither came, poor girl to sigh
Her heart away—near me to die
Unknown to all save the old Friar,
Who bore this ring to me by her desire—
Tidings that brain—heart—soul did fire!

She might have been to Kings allied—
But this forebore to be my bride—
She might have been beloved and cherished—
But for my sake, she pined and perished—
A minstrel poor—on India's shore
Singing for bread from door to door.

Whilom along the Arno's side,
We wandered oft at eventide,
She gazing on the glowing skies,
And I into her laughing eyes;
And there when angels watched above,
I told to her my burning love.
I have no power—no words to tell
How much I loved young Isabelle.
She was the angel of my youth—
The paragon of Love and Truth—
The child of art and minstrelsy—
All light—all loveliness to me.
And Oh! that she should dare the surf—
Repose upon the chilling turf—
Three weary years
In pain and tears
For me, who could betray her trust—
O God! O God! thy wrath is just!

I know not why
Tears filled mine eye,
Whene'er for me she woke her lyre—
Its every tone was fraught with fire,
That made life's sluggish current start,
And boil along my every vein,
Up to the caverns of the brain,
Then left it freezing round my heart.
Ever upon its mournful swell
Came thoughts to me of Isabelle—
Beauty—and Love—and Italy—
And of my hideous perfidy.
Mine eyes have hung upon her form,
As held by some unearthly charm;
I've stood beneath the burning sky
And drank her matchless minstrelsy—
Have lain at noon of night and wept,
While through my lattice lone it swept—
Lone as some fallen Spirit's chime—
Sad as the funeral dirge of Time.

Five summers since I sought this land
Despite my Isabelle's command—
Here yielded to thy wealth and beauty
My plighted heart and sacred duty—
And well hath Heaven avenged my sin;
My babes like Autumn flowers have faded,
And passed from earth—my heart hath been
By Hell's consuming fires invaded—
Peace—Pleasure driven from my breast—
And from my haunted pillow Rest.
The flowers she loved and tended much,
Shrink coldly shivering from my touch;
The stars look down upbraidingly;
Even reptiles curse my perfidy—
And all that now, dear Leila, I can crave
Of thee, is prayer, and pardon, and a grave—
Let no one write my history—
Indite no epitaph for me—
My country, name, or wo to tell—
I only crave to rest by Isabelle."

XII.

Pale as a marble statue there
Still Leila knelt with vacant stare;
'Twas as some unexpected dart,
Had instantly transfixed her heart—
The grave had opened at her feet—
From its cold clasp left no retreat.
She passed her hand before her eyes,
Her soul's emotions to disguise,
And to conceal the tears that slid
In silence from each burning lid—
Then faintly said—"in thy despair
Thou hast my pardon—and my prayer;
Arouse thee from this lethargy—
What is the World—Life—Light to me—
Youth, Beauty, Wealth—unshared by thee!
I had a dream in my sweet youth
Of nuptial bliss untouched by ruth,
Such as our own seemed—but 'tis passed—
It was too pure—too heavenly bright to last!"

XIII.

Little can prayer avail on high,
For those who will and crave to die.
Still day and night he strode the dale—
Still day and night became more pale—
More solemn in his mien and mood—
More wed to grief and solitude;
And ere the leaves of Autumn fell,
They laid him down by Isabelle.

XIV.

Leila had youth and beauty left,
But sudden grief her heart had cleft;
Forth from that melancholy hour,
She Gamba sought in twilight bower,
And heard his trembling lips recite
The tale that turned her heart to night.
She never woke to him her pain,
Or craved to know his grief again;
She never told to friend or foe
Whence came, or how this wasting wo—
None knew the death-chill at her heart,
Save him who planted there the dart—
They only heard her constant sighs,
And miss'd the lustre from her eyes,
And saw her cheek fade hue by hue
As flowers beneath the Autumn dew;
Her words to Gamba still were kind,
And soothing to his ruined mind—
Even in his latest dying hour,
They held o'er him a magic power—
But from that mournful eve they laid
Him down beside the Gipsey maid,

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They never saw young Leila more.
She could not brook their holy rest
While secret sorrow rent her breast—
She could not brook the cold world's sneer—
Pride's heartless taunt—and envy's jeer.
Time—tide no tidings of her bore,
Though her they sought afar and near,
O'er sea, and land, and mountain drear,
But all who passed those graves at night
Saw, by the pale stars' glimmering light,
A Lady with long raven hair,
And sea-drenched garments weeping there.

XV.

There mouldering still their Castle stands,
Like some proud wreck of feudal lands,
To greet the eye of all who stray,
Along the Nieva's blooming way,
Where every vassal in the vale
Can tell its melancholy tale.
The winds are sighing through the halls,
The lizard glistens on the walls—
From roof and rafter spiders dangle,
And weave their webs in every angle—
The ivy through the lattice creeps,
The owl from porch to gallery sweeps—
For ages no less mournful voice
Has bade these lonely walls rejoice.
Who strove to tarry there at night
Fled ere the morning with affright;
Soon as the tapers they withdrew,
The bolts and bars asunder flew,
And pallid spectres glided in,
Their nightly revellings to begin.
The mournful Gipsy Maiden's song,
Beneath the casement flowed along,
The solemn warblings of her lute,
While all to catch its notes were mute.
Then rose upon the trembling air
The broken-hearted Leila's prayer—
The sounds of Gamba's feet as he
Paced to and fro the gallery—
And still 'tis shunned by Lord and vassal—
And called by all the haunted Castle.

THE FIFTY CROWNS.

THANK God, I am an heir!
The charming trade
Of a holder of funds
For me was made;
To labor surely could not be my bent:
I've fifty crowns,
I've fifty crowns,
I've fifty crowns of rent.

Friends, the estate is mine:
If splendor please,
I can live royally,
And at mine ease;
Honors escheated for my use are meant;
I've fifty crowns,
I've fifty crowns,
I've fifty crowns of rent.

To enjoy the rich man's rights
Without delay,
A carriage will I have,
Well-built and gay;
To fly my creditors my true intent:
I've fifty crowns,
I've fifty crowns,
I've fifty crowns of rent.

Adieu to the poor wines
Grown round Surene!
The best Bordeaux, Mursaulk,
And famed Champagne
To my expectant lips at last are sent:
I've fifty crowns,
I've fifty crowns,
I've fifty crowns of rent.

Deck yourself, Lizzy, love;
Let wealth aspire
To put on every day
Some new attire;
No more on tinsel must for you be spent;
I've fifty crowns,
I've fifty crowns,
I've fifty crowns of rent.

Old relatives, and friends
Trusty and free,
Sister, so young and gay,
My guests are ye!
Food, lodging, dresses, shall be gladly lent:
I've fifty crowns,
I've fifty crowns,
I've fifty crowns of rent.

Friends, leisure, wine, and love!
I would bespeak
Your aid, to crown my hopes,
For one short week;
The stock shall follow where the interest went:
I've fifty crowns,
I've fifty crowns,
I've fifty crowns of rent.

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CHALCAHUAL.

It was evening.—The moon swept in glorious beauty through the clouds in her path, and looked down with an earnest gaze upon the valley of Mexico, as if she, too, loved it—she too, I say—for all elements and kindly influences of Nature seemed to delight in decking it with the rarest beauty and grandeur. Man, also, did his best to enrich it; and from grand old groves of trees and gardens went up toward heaven many a gorgeous structure, while the cities and towns which were set like jewels in its broad expanse, now in the evening hour seemed like glad things with their thousand eyes of light; and upon its waters light canoes glanced along in and out of the wide paths left by the stately floating gardens and innumerable tiny islands, which one might call beautiful freaks of nature, so strangely formed and exquisitely decked with flowers were they. Nor were there wanting things to remind one of the dim, shadowy past; for upon many a high hill were gigantic ruins of massive structures, once the pride of the Soltees, a nation who preceded the Aztecs, and who by famine, pestilence and war, had melted like mist from the land, to give place to the superior race from the north—the Aztecs, who, at the time that I speak of, held sway far and wide, and whose good taste taught them that those old ruins were ornaments to their land.

Upon an eminence which overlooked the city of Mexico, and over which went a cross-road leading from the great southern causeway to the capitol, might have been seen, at the hour I speak of, two litters or palanquins resting upon the shoulders of slaves, while the number of slaves who surrounded them told of the wealth and consequence of their owners. The bodies of the slaves were almost naked, excepting a tunic of white cloth, and bracelets of silver about their arms and ankles, which contrasted well with their dark skins. Thus far their costume was alike, but the different livery worn by them attested to the different households they belonged to, as well as the fact that the many banners they bore displayed two separate designs.

It would have been a strange sight to us of the democratic nation, had we seen the attitude of the slaves as they listened to the commands of their masters, who stood a little apart from them. With arms folded upon their breast, and eyes and head bent toward the ground, they heard their orders, and with faces turned toward them retreated some distance, and then turning, went quickly out of sight. Alpasson's attendants disappeared first, and were followed by those of Chalcahual, with whom we are the most interested. The bright livery of his slaves—the bands of red cotton, embroidered with yellow eagles and white herons, about the neck, the arms, and the tunic, as well as his banners with their golden decorations, and their embroidered device of an eagle bearing an ocelot in his talons, while below this device was one of a white heron, told one acquainted with the Aztecs in their day of pride and power, that he to whom that banner belonged was allied by marriage to the house of Montezuma, as the eagle bearing the ocelot in his talons were the arms of the emperor himself, and used only upon his banner, or, as in this

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instance, coupled with the device of the house of those whom his children had married.

Seeing the proud banner makes us look at its master, and ask if there is aught of the eagle about him? Yes, Chalcahual might well have the eagle for his crest; one could read nobility of heart and soul in his eye; and all the fault we could find in his face was that there might be perhaps a shade too much of sternness about the mouth, that index of character, as the eye is of talent and nobility of soul. The shade was as yet but slight; still one could imagine that as age crept on—if his life-history was not one in which some continuing gentle influence was blent—the shade might deepen and the glory of that soul be dimmed. His dress was that of the every-day costume of the Aztec noble of the time, a tight-fitting mail of quilted white cotton, confined about the neck with a rich collar of jewels, while chains of gold depended from its principal ornaments, and were gathered into the clasp of jewels which confined the wide-spreading sash, keeping in its place the embroidered tunic; upon his shoulders hung a mantle of the far-famed featherwork; about his head was a coronal of gold, while from its left side towered the heron's plume with one eagle feather in their midst, the sign again of connection with the family of Montezuma.

"Well, Chalcahual," said his companion, "you have curbed your impatience finely, and given up your ease and a swift footed progress toward one who waits your coming, that you might heed the wishes of your old uncle, and have a long talk as well as walk before we are lost in yonder great and glorious city. Nay, no need to be ashamed of your blush," he continued, looking smilingly upon the younger man, "no need to be ashamed to long to see the smile of your Lesa. Time was when I should not have heeded the dearest uncle in my haste to show my Minna that she was my heart's love—but she died—she died—and" —he added sadly, "you have been all I have had to love since then, excepting thy memory, Minna! Well—well"—he continued, after a pause, "I shall go to her soon; for these fatigues of war will wear out the old servant of the empire, and the future is full of dread evils which bring war in their train." Leaning upon his spear, the old man looked with gloom in his eye toward the city, while in Chalcahual's face there burned a bright red spot of excitement; but he disturbed not his uncle's meditations, who at last broke the silence with—"How beautiful thou art, Mexico! sitting as thou dost like a queen upon the waters, rejoicing in thy flowers and gardens, thy temples and palaces, thy young men and maidens! My heart burns with love for thee. How often have I welcomed the sight of thy glory, of thy forts and temples afar off, as, returning from some distant campaign, I have looked at thee from the stern rocks which surround the valley of which thou art the jewel of great price. An eagle told our forefathers where thy site should be, and proud and glorious hast thou been; but now thy day of majesty is changing into evening; the splendor of our race must fade as the morning mist; the new and strange race so long predicted have come, and already thy gates have opened to receive them—already the white man is in thy heart to eat it away. Thou hast, alas! but yielded to thy inevitable fate, and gone is the day of the Aztecs! Well is it for the old man that his hair is silver and his strength but weakness: I may be allowed to die, and not see the Aztecs the slaves of these strange and powerful beings."

"Alpasson! Alpasson!" interrupted Chalcahual, whose customary deference yielded to the intensity of his feelings'—'Is it Alpasson, the great

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warrior, whom I hear speak thus? Does he, like a woman, give up hope when fear comes in his path? These white men, strangely powerful though they be, must and shall be conquered. Oh, would that I had not been in these hateful wars during these Spaniards' progress toward Mexico; my words might have had weight with Montezuma. Never, never should the hateful white foot have passed the drawbridge; and Montezuma, the weak one, forsooth imagines them to be descendants from gods: their rapine, their longing for gold, their disrespect for the gods of our land, show indeed their descent from good gods! Men, mere strong men are they, and the emperor does not seem to dream that mere strength of man disappears when it is opposed by the right. From all that I hear, it is evident that these white men are selfish, cruel, and tyrannical. They shall not conquer this my people, although so many evils are in league with them to subdue us. Superstition disarms the hand of the bold warrior, and Montezuma, by a long course of wiliness, superstition, deception and tyranny, has forfeited the power to act well and courageously at this hour of peril. Hear me, thou unknown God," he continued, bending his knee to the ground—"From my youth Thou knowest I have bowed only to Thee as God. These blocks of wood and stone are no gods for me, and I have prayed to Thee alone, and heard only Thee, in the voice of the wind, in the storm, in the sunshine: hear thy child who would devote his life-blood to the salvation of this people. I go to mingle in Montezuma's counsels; grant me wisdom, grant me power to avert these evils which threaten us, and unto Thee will I ascribe all honor. Did I believe Thee a God of matter, I would bring to thee oblations and sacrifices; but Thou, Great Spirit, hear the submissive loving tone of thy child as sweetest incense and rarest flower."

A tear stood in the eye of the old warrior as he raised Chalcahual from his kneeling posture—nay, he even stooped to tie the latch of his sandal as token of his love as he said—"Would that there were more like thee, even should they cherish thy strange faith, and may thy God give thee strength and power. Chalcahual, let us for the hour forget the wrongs of our land and think of home and Lesa: you go to a dear heart and will rejoice in the smiles of thy infant son, while I go home to loneliness and state. When my bride died, I chose me war and fame for my heart's joy, and they do not gladden home;—come, we will move on our way." Earnestly did the friends commune together, and as they came near the city, Alpasson said that he had some counsel to give him if he would hear it: it was an old man's advice and it had reference to Lesa. "I know," he said, "that your love for her is deep and earnest as life itself, but you have not patience enough with her. She was educated by the priests of the great temple, and yet you seem to expect that she should at once see the beauty of your faith, which even I, an old man, dare not take; and then, too, though she has just emerged from strict surveillance, you seem to expect that she will not be made giddy by the freedom of her life, its gaiety, its wealth, but think that she might be wise, like yourself, immersed in cares and interests of state as you are, instead of being delighted with the last gay dance or carried away by a jest or a song; but patience, patience, my dear Chalcahual, she will yet be the glorious woman you long for, though she must pass through many phases of character first, and then this uncontrollable gaiety of hers will be the delight of your heart in its tempered state; even now it is best as it is for you. Young people are ever inclined to extremes, and lean too much toward the happy, thoughtless side of life, or to its

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opposite, and you might become very stern in your thoughts were it not for your wild, beautiful Lesa. Lesa's heart is good, and she sees that which is right in her spirit, though as yet the world is too much for her; the world's gloss will never wholly wear out for her, and therein will be your great salvation; but its lights will be less bright, and by that time you will be more tempered, and see in your spirit that to be truly wise those lights must be even seen to and cared for anew daily; thus when time has chastened the one and tempered the other, your communion will be unclouded. One to overhear me would perhaps think that you were very unhappy together; but the old man only knows that Lesa is faulty, thoughtless and very gay, though quickly repentant, at least for the hour, and that she loves her Chalcahual as well as fears him, and feels that he is half a mystery to her. As to Chalcahual, he is apt to judge too harshly; and though he loves her earnestly, still he has not hope enough that she will certainly come from the clouds of youth into a glorious womanhood. Forgive me, Chalcahual, if I have cut more deeply into a rankling heart sore: were it not for timely caution the sore might become a very dangerous thing. The palliation for my interference, dear Chalcahual, must be that, while you will remain in Mexico, I, after one word with Montezuma, leave the dear city and off again for the wars. I may lose my life in those wars, and my last words must be kind ones for the good of those dearest on earth."

"So soon do you leave us, dear Alpasson: must it be so?" * * *

* * * * * They passed over the stone causeway and into the principal street of Mexico, and as they came near to Chalcahual's palace, they saw by the torches illuminating the gardens which surrounded the palace, that Lesa, unwitting of the approach of her lord, played the hostess that night; and Chalcahual proposed looking in upon the hall of mirth unseen by the guests or by Lesa. With a beating heart Chalcahual drew aside a heavy embroidered curtain, and a brilliant sight presented itself to the way-worn travellers: dazzling at first because of the change from the dark chambers of the palace they had gone through to reach the overlooking window.

Below them was a vast hall, whose high ceiling and walls were covered with a tapestry of white cotton; spread over this tapestry were large wreaths of the beautiful flowers of the south hanging in many a fanciful festoon, while enormous bouquets of flowers were placed at the meeting of the festoons; from out of these branched out numberless silver ornamented torch bearers with torches of resinous wood in them, and from the ceiling hung many massive silver chains with like torch holders and torches. On the right hand of the hall, which was light as day, great door-ways, hung with crimson curtains, opened into the area or court, around which the palace was built; and on the left were similar curtained doorways leading into the aviary, where, amid luxurious trees and vines growing in huge vases, were cages of reeds in which were confined the infinite varieties of the southern bird, while some of the most tame were allowed to fly about in freedom and build their nests among the trees and flowers: some of them were so tame as even to venture into the great hall; but among the free birds the most numerous by far was the delicate humming-bird, the pet and favorite of the Aztecs. All this lavish wealth was familiar to Chalcahual, and his gaze was bent upon the assembled guests who thronged the hall and aviary, while in the court might be seen those who wished to dance, accompanying their dance as was the custom with a pleasing kind of chant.

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Such a gathering of the Aztec nobility at the time I speak of was a gorgeous one in the extreme; for the colors with which their dresses were embroidered were of the richest hues, and each one seemed to vie with the other in display of jewels and gold, while flowers, the delight of the refined Aztecs, were used by every one in their toilet. Slaves bore about large silver salvers, upon which rested gold and silver dishes, amid a profusion of flowers, filled with the delicate confections of the Aztecs, or proffered spiced chocolate, or the fiery pulque.

Chalcahual's earnest inquiring looks soon found out Lesa, and he followed her with his eye everywhere she went. She came and stood by his covert. His heart beat high with pride as he felt that she was indeed the most beautiful of the beautiful, and with almost a woman's love of dress he told over to himself every decoration as she came near to him, while as yet he could not hear what she said to those about her. There were the delicate sandals with their fastenings of linked jewels—there was the many-skirted dress, each one of a different shade of rose color, and each being shorter than the one it laid upon, until they lost themselves in the favorite white over-dress. Each skirt was bedecked with golden fringe, and the white dress was embroidered about the hem with a heavy band of silver leaves, fastening down exquisite pink and white humming bird feathers; this dress was confined about the waist by a silver chain of broad links with a large clasp of precious stones; and from the clasp hung several pendants of silver eagles, bearing the ocelot in their talons made of the same metal. Her hair was put plainly about her face, and gathered into one mass upon the back of the head under a silver netting; her many bracelets and necklaces were large and massive, and made of the shells of a species of craw fish set in gold, an ornament much prized by the Aztecs, and very showy and elegant in European eyes, while the never failing bouquet of flowers peeped from one side of the silver netting upon the hair. Her every movement was grace, and her eye was glorious. Making her way gracefully through the crowd, saying a word here and there, she came very near to Chalcahual's hiding-place, without dreaming of his presence, and with a light, merry laugh, she placed her hand upon the shoulder of a young girl and claimed her as her captive. The girl started, and then commenced a laughing warfare of words, and Lesa's joyous laugh rang out more than once, while all that Chalcahual could conjecture from the few words he could hear, was, that Lesa had dared to do something which her girl friend had told her she did not dare to do; and conscious of Lesa's having the victory, had shrunk from the triumph, and until now had eluded her search. Then an old noble of Mexico claimed her attention, and seemed to be questioning her and expostulating with her about something that interested her, for her merriment was gone and her bearing haughty. As she still came nearer his hiding-place, Chalcahual could see the angry spot upon her cheek and that her eye flashed. "No more of this, Sir Cacique," he at last heard her say, "You have already trespassed upon my forbearance as hostess." "I will not trespass longer," returned the old noble. "I but put on my gala dress and came here to warn you, and my warning being of no avail, I leave you;" and he soon saw the plumes of the old man's coronal waving its way through the throng to the court. His first impulse was to follow him and hear about what he interfered; the next, to don his gala dress, go among the company, tired as he was, and ask Lesa herself why this questioning. He moved to do so, when, hearing his own name mentioned, he paused again and looked below. A young noble, who had been entertaining

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Lesa with some narration of his late residence away from Mexico, asked how long it was before she expected Chalcahual home, and when she last had seen him. Lesa told him that she had accompanied him upon his embassage to the northern kings, and had last seen him at their country seat about a moon since; that from thence he had gone to quell a dangerous rebellion in the west, and being victorious, was now returning, and might be home in a few days. Her companion then asked what Chalcahual thought of the white strangers, adding, that his own protracted mission in the east must account for the strangeness of his ignorance of the opinions of so important a personage as Chalcahual; and that since his return he had had but time to give orders to his slaves as to his dress for the evening, before he spoke to Lesa. She answered briefly, "That unlike Montezuma, her lord had no fear they might be gods; indeed, that for herself she considered them merely a superior race of beings, and not to be treated as enemies, as Chalcahual desired them to be, before they had fully proven themselves to be such."

"Then you cannot wish him here to-night," said the young noble, with an air of suppressed astonishment. A flush came over Lesa's face as she answered—"The cacique Chalcahual can never be unwelcome to Montezuma's daughter."

What could all this mean, questioned Chalcahual in his thoughts. Why these expostulations—these strange remarks, and Lesa's extraordinary pride—what had her being the proud Montezuma's prouder daughter to do with the cacique Chalcahual. These questions were scarcely asked before they were answered, for the crowd below swayed to and fro: it parted, and through the opening came the white man, and bent before Lesa as the hostess for the evening.

Chalcahual uttered a sharp cry of distress, and seizing Alpasson's spear, he bounded upon the balustrade of the window, and would have leaped into the hall, but Alpasson's arm prevented him, who warned him at the same time that the white men were guests of his house, and that was no time for revenge. Chalcahual perceived that Alpasson was wise, and covering his face with his hands to keep out the sight that so enraged and distressed him, the hot tears fell fast from beneath the hand that would have crushed them. But his cry was unheard, his tears not dreamed of; for at the moment Cortes bent before Lesa, his band, which came but a few steps behind his suite, sent a burst of music into the hall with strains and tones so new, that Lesa for the moment almost believed them to be of heavenly origin. Chalcahual scarce heard aught or saw aught but his own agony—the hateful white man received with courtesy by Lesa, and not only with courtesy, but kindness and honor, in direct disobedience to his known though not expressed wishes; and she even seemed to rest her pride upon being Montezuma's daughter, and not, as he had dreamed, upon her being Chalcahual's wife! Humbled, hurt, stung to the quick, he at last gained sufficient command of himself to again look upon the scene below. He saw that the handsome white man looked with interest upon Lesa; heard his frequent laugh at her sallies of wit rendered into his own language by Marina, his faithful Indian interpretess; he saw Lesa even speak of his dress and examine his jewels; he saw that Malinche, as the Aztecs called Cortes, return the compliment, and even take out his poniard and sever a light curl which had strayed from its silver netting. This was the last drop of bitterness in the cup: this he could not bear, and Alpasson and himself left their hiding-place and wandered into the open air. The night cooled the fever in his veins, and with wisdom they deliberated upon

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and determined their plans. As morning dawned, a litter left Alpasson's palace, conveying Chalcahual to the neighboring caciques to bring about the imprisonment and death of the haughty white men, or certainly to compel them to leave the land; while at a little later hour Alpasson sought Montezuma to ask his aid. It was determined that if Montezuma feared to help them, their plans should be still carried out; feeling that should they succeed, there would be a ready pardon for disobedience of orders, which the emperor only dared not to do else but command—if death, defeat or disgrace was their portion, it would be caused, they thought, by their striving to save their land from base usurpers. It was the determination of these leaders that their plans should be tested immediately; and while Chalcahual went out to counsel with the nobles absent from the city—those who were near to the city at their country seats, Alpasson should stay in Mexico to deal with the nobles there, as well as to confer with Montezuma.

* * * * * * * *

The day passed on, and some of the evening hours had gone by, and Lesa's whole head ached and whole heart was sick. It was long since she had slept. The night before she played hostess she had been wakeful, because of her doubts if she dared ask the Spaniard to visit her; but the taunts of some thoughtless acquaintances conquered. The night of the brilliant gathering was spent amid groups of gay people, with the handsome white commander as her devoted cavalier, and she went from the deserted hall of mirth to hear that her child had been restless and somewhat ill for the last few hours. With all a mother's love, she took the child in her arms; and as greater distress came to it hourly, she sat all the day with it upon her lap, trying in vain to soothe its restless pain and still its moan, which pierced her heart. But comfort seemed not its fate, and as the evening passed, no hope of rest dawned for Lesa; and weary and worn she dismissed her attendants to their rest until she should need them, for well she knew that no one could care for a suffering child as well as its mother.

Without a trace of last night's magnificence and pride about her, she was but the beautiful young mother. The light was dim in the room, and Lesa heard naught but the cry of her son, when, looking up, she saw Chalcahual before her: she screamed with delight, and would have bounded to meet him, but some restless movement of the sick boy checked the first impulse, and then she noticed that Chalcahual's face bore no gladness in its expression. He looked at her with reproach in his eye; and tired and so wearied, Lesa's heart felt now very desolate, and hiding her face in her hands she wept bitterly. Chalcahual said no word, but came near to her. Sorrow and fear for her wrong doing had mingled itself in her cup of suffering all the day; for it is strange how the mere fact of the wrong being *done* causes the hand to droop, and the courage to fade—and now came for Lesa the retribution. At last she looked up deprecatingly, and said in low tones—"Our child, Chalcahual, is very ill—very ill." The boy, who had just perceived his father, looked at him with his dim eye and smiled. Chalcahual took his son, and pressing him to his heart, said in sad accents—"My son, my son, you are all that I have to love, now that your mother has forsaken me for the white man's smile." Lesa folded her hands upon her breast at these words in token of penitence and deep humility; she told all the palliating circumstances connected with her fault, and begged most humbly to be forgiven, in a spirit of deep self-abasement, which she had never felt before or expressed, and promised that it should be her last

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offence. At this promise, Chalcahual's soul was possessed by a sternness and an unforgiving spirit which was never his again, and which afterwards he would have given up his wealth, his life even, to have blotted from his memory or from truth. In bitter tones he told her that he was weary of tears and promises, always made to be broken, and when those promises were performed he might forgive. Lesa hid her face in her hands as she heard these cruel words in woe unutterable, and a sharp scream testified to the agony of her soul; but the storm passed, the expressions of intensity of emotion ceased. She felt deeply aggrieved; she had humbled herself so deeply before Chalcahual, and to be spurned! and because of his bitterness, his unforgiving spirit, she felt that he was scarcely loveable; and now that the words were uttered, Chalcahual perceived their full bitterness and weight; he hoped for renewed supplications from Lesa that he might forgive, but he heard none. When she spoke she said; "Give me my child, his father's hand is rude." Chalcahual resigned the child, and Lesa, intent upon her care for her son, would not meet his eye. Too proud to ask forgiveness, Chalcahual strode to and fro in the room for a long time, and then, going to Lesa, whose eyes were still bent upon the sick child, while she sang a low, wild, sad chant to wile it to sleep, at length said, abruptly—"Lesa, the white man is wicked and a tyrant: he and his men must be destroyed, else our fair land will be spoiled by them—else we shall be slaves. To-morrow night they will be our prisoners if there is strength in the right. Even now I go to your father, Montezuma, to urge him to join us. He fears the power of this new race, and though he may not aid us, he will be glad if we succeed. Have you any message for the emperor?" "None," answered Lesa; and the chant which had ceased when Chalcahual began speaking was recommenced, though its tones seemed to gain in sadness. Chalcahual hesitated about what he should do to heal the deep wound he had inflicted; but too proud to ask forgiveness, he left her to seek the emperor.

Painful indeed were the thoughts of both; and poor Lesa's head drooped in her terror and desolation of spirit. By her act of hospitality to Cortes she had maddened Chalcahual. By imprisonment was meant death, possibly a horrible death to the white men; and could she ever smile again, knowing, as she would, that had it not been for her wilful disobedience their lives might have been spared. She would save them if it were possible, but how should she do it? Presently the head which had drooped was raised in determination, and resigning her child to an attendant, she quickly made her way to the enemy's quarters, asked an interview with Marina, disclosed the determination of the Aztec nobles, and implored her to persuade the Spaniards to leave the country as they valued their lives; that among the Aztecs there was no abiding safety for them; and alone and unattended she left their quarters for her own home, with the pleasant assurance that the Indian woman had testified fear enough to make her believe it would be somewhat shared at least by the white men.

Night passed away and brought with it no Chalcahual. Toward morning the child fell asleep, and Lesa, wearied with excitement and fatigue, leaned her head upon the pillows of her couch and slept also. The moan of her child wakened her, and she found it had been day for some time, and that her slaves were clustered around her, waiting the wakening of mother and child. Chalcahual came in, asked about the child, and told her hurriedly that his evening's interview with Montezuma had been of no avail; that his dread of the white man prevented his

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ading them; but that going from Montezuma to the caciques then in the city, he had been more successful, and that instantly he must leave the city to meet other nobles again; that it was deemed advisable that their plan should not be carried into execution quite as quickly as they had first thought, and that it might be days before he returned, as the nobles without the city shared Montezuma's fears too much as yet. This he said to her in low tones, unheard by the slaves, and his eye sought hers with earnestness. Lesa's gaze was clear and calm, for she felt that Chalcahual's harshness had raised her from her supplicating posture to that of one whose forgiveness should be asked; and then she felt glad that the people who were hated with this fierce hate would not be lost because of her imprudence; that she who was so near being the one to bring about their downfall had saved them—for she doubted not they would take her advice in this their peril. Her hope was strong in the belief that they would leave the city now, and that by bribes of gold they seemed so to covet, to be induced to leave the land in peace. Chalcahual told her he repented him of his harshness of last night and hoped that she would forget and forgive it. Lesa's smile was bright as he told her this, and with a kiss Chalcahual hastened from the room to bring about the destruction of the very people whom Lesa rejoiced that she had saved; for she trusted that Chalcahual would recognise the wisdom of her warning, when he saw their beloved land rid of the hateful stranger without having to mourn over one drop of blood being spilt in war with them. Then she felt that he would glory in Lesa's pacific and timely interference. Before Chalcahual had been gone long a messenger was announced from Montezuma, and presently the slave, in his gorgeous livery, was admitted into Lesa's presence. Montezuma, in the early part of his reign, was simple in his tastes, wise, kind, and good; but in the latter part of it, how different! It is well known that the government of the Aztecs was an elective monarchy, four electors chosen from the most powerful, and nobles chose the one they deemed most competent for the office of king from the royal family. In the case of this Montezuma, they had passed over his elder brother and selected him. When the news of his election was carried to him he was found fulfilling his duty as a priest, sweeping down the steps of the temple. With eyes bent upon the ground in humility, he declared himself unworthy of the rank; and this was the man who, in his later days, paved the way to the conquering of his nation by the white man, by alienating his people from himself, by his cruelty, by his hard exactions, his tyranny, duplicity, and ostentatious pride; and not only alienating his vassals, but alas! also alienating himself from his nobler self, so that when the hour of his utmost need came upon him, he had lost the power to be bold, courageous and true. So true it is, that when we shackle the soul with bonds of sin the soul itself withers.

The slave bore a small golden salver, upon which was placed an exquisite bouquet of flowers, the stems of which were concealed by a band of gold thickly studded with emeralds, while several chains of gold passed over the bouquet, forming a network about it. With this magnificent gift the slave knelt before Lesa, with the word that Montezuma desired the presence of his singing bird, Lesa, so soon as the child was well enough for her to leave him. Lesa's heart bounded with joy at this message, for she saw that the emperor's heart was moved toward her, and she might the more easily influence him regarding the bribing the Spaniards to leave the land. With delight she saw that her child soon became better, and that he sunk into a sweet sleep; and immedi-

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ately donning her gala dress she hastened to the presence, throwing over her gala dress however a dark mantle of netting, which covered, though it did not conceal, the rich court costume.

(TO BE CONTINUED.)

THE SIMULTANEOUS PRAYER.

'TWAS in the time of early flowers. The earth
Looked glad with hues of young and growing things,
For all of life was bursting into light,
And warmth and beauty. Forests, old and shorn
Of leaves, betrayed their coming verdure, while
The pine's rich foliage contrasted well
The maple's symmetry of form; and when
The sun, that wakener of so much loveliness,
Shone full upon their blended light and shade,
It seemed a dream of heaven realized.
The sun had rolled within his western gate,
But still the sky, enrobed with gold, and rose,
And purple, smiled most lovingly, and seemed
More glorious far than earth.
Day fled, with all
Its rosy lights. Night came, and with it *one*
Resplendent star—the star of love—that near
The sun's bright pathway stood, sublimely fair;
And one might deem Apollo in his flight
Had lost a diamond from his jewell'd car,
And that the sky had claimed it for its own,
And placed it there, the emblem of all good.
One only star: all other stars were sleeping, 'till
The deeper hush of night should waken them.
Oh! such a night would call up golden dreams
Of joys long buried in the misty past,
And waken thoughts of chosen ones the heart
Can ne'er forget, in all the dreary sound
Of blighting care.
And what said such a night
To one who watched its coming tremblingly—
A maiden fair, and tried to still her heart
To rapturous joy? It spoke of hope, and love,
And trust, and tenderness of blended souls;
And wakened aspirations for a tried
And faithful one afar. And that lone star,
That looked so like a Queen in its blue home
Above, had been a signal given for their
United souls to rise on wings of prayer
Into the azure Heaven. Thus they met,
Those severed ones, in mutual pleadings for
Each other. High and simultaneous thoughts
Went up, not in the cold array of words,
But warm, from pure and trusting hearts to meet
In Heaven.
The maiden looked, and myriad lights
Were added to the sky, and smiled upon her!

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PHAEDON;

OR, THE IMMORTALITY OF THE SOUL.

TRANSLATED FROM THE GERMAN OF MOSES MENDELSSOHN.

[We find the following notice of MENDELSSOHN in Carlyle's article on the State of German Literature:—"The history of Mendelssohn is interesting in itself, and full of encouragement to all lovers of self-improvement. At thirteen he was a wandering Jewish beggar, without health, without home, almost without a language, for the jargon of broken Hebrew and provincial German which he spoke could scarcely be called one. At middle age, he could write this *Phaedon;* was a man of wealth and breeding, and ranked among the teachers of his age. Like Pope, he abode by his original creed, though often solicited to change it: indeed, the grand problem of his life was to better the inward and outward condition of his own ill-fated people, for whom he actually accomplished much benefit. He was a mild, shrewd, and worthy man; and might well love *Phaedon* and Socrates, for his own character was Socratic. He was a friend of Lessing's, indeed, a pupil. * * * In its chaste precision and simplicity of style, his Phaedon may almost remind us of Xenophon: Socrates, to our mind, has spoken in no modern language so like Socrates, as here, by the lips of this wise and cultivated Jew." He was born Sept. 12, 1749, and died in 1786.]

ECHECRATES, PHAEDON, APOLLODORUS, SOCRATES, CEBES, CRITO, SIMMINS.

DISCOURSE FIRST.

Echecrates.—Wert thou thyself present, my Phaedon, with Socrates, when he took the poison, or did some one relate it to thee?

Phaedon.—I was there myself, Echecrates.

Echecrates.—What were then the last words of the man? How did he depart? I am so anxious to hear all these things related. None of our Phliasican citizens often visit Athens now, nor has any one for a long time come from thence to us who could inform us of such things. So much only have we heard: Socrates drank the poison and is dead—not the least circumstance further.

Phaedon.—What, not of his condemnation?

Echecrates.—O, yes; some one related that to us. Still we wondered that he should be allowed to live so long, after he had received his sentence. How happened this, Phaedon?

Phaedon.—Entirely by accident, Echecrates. It chanced that the vessel, which the Athenians are accustomed to send annually to Delos, was crowned the day before his condemnation.

Echecrates.—And what kind of a ship is that?

Phaedon.—The same, as the Athenians declare, in which *Theseus*, having sailed to Crete with the seven pairs of children, preserved them with himself alive. The city had, as is affirmed, made a vow to Apollo, that if the children should be spared, they would send yearly in this ship rich presents to Delos; since that time, they have ever kept their promise to the god.

When the sacred ship is ready to depart, the priest of Apollo hangs the stern with wreaths of flowers, and immediately the festival commences. This feast continues until the vessel, arriving at Delos, again returns; during which time the city must be kept pure from all shedding of blood, and by law, no one can be publicly executed. When the ship is detained by contrary winds, the condemned enjoy a long reprieve.

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Now it happened, as I have already said, that the crowning of the vessel took place the day before the condemnation of Socrates, and therefore a long time passed between his sentence and his death.

Echecrates.—But the last day, Phaedon, how was that passed? What did he say, and what did he do, in those moments? What friends were with him in his last hours? or would the Archons admit no one to his presence, and did he die without having one friend by his side?

Phaedon.—By no means! there were many with him.

Echecrates.—Be so good, dear Phaedon, as to relate all circumstantially to us, if no business prevents.

Phaedon.—I have leisure at present, and will endeavor to satisfy your wishes. To me nothing is more pleasing than to call to mind my Socrates; to speak of him myself, and to hear him spoken of by others.

Echecrates.—And those who listen to thee, Phaedon, are of a similar mind. So relate all as truly and minutely as is possible.

Phaedon.—I was present, friend, but in a very singular mood; I felt none of that compassion and grief which we are accustomed to experience, when a friend expires in our arms. The man appeared to me fortunate, enviable, Echecrates! So mild and calm was his demeanor in the hour of death, so serene were his last words, that his conduct seemed to me not like that of a man who descends before his time to the shades of Orcus, but as of an immortal, who is assured, that whithersoever he may go, he shall be as blessed as it is possible for him to be. How could I then experience those painful emotions, with which the sight of an ordinary death is accustomed to affect the mind? Nor, on the other hand, could the philosophical instructions of our Teacher afford us at this time that unmingled pleasure which we were wont to receive from them. We felt a singular mixture of joy and of grief, which we had never experienced before; for our happiness was constantly interrupted by the sad reflection: *soon we shall lose him forevermore!*

All of us who were present found ourselves in this singular frame of mind, and the effects of these conflicting emotions were soon clearly visible on every countenance. One might have seen us smiling at one moment, and weeping at the next, and frequently, with a smile upon the lips, and warm tears in our eyes. Yet Apollodorus surpassed us all in those respects. Thou knowest him and his sensitive nature.

Echecrates.—How could it be otherwise?

Phaedon.—He manifested the most singular emotions. He felt all far more intensely, was enraptured where we smiled, and where our eyes moistened, his swam in tears. We were through him far more moved than by the sight of our dying friend.

Echecrates.—Who then were present?

Phaedon.—Those of this place were Apollodorus, Cristoholus and his father Crito, Hermogenes, Epigenes, Æschines, Antisthenes, Ketesippus, Menexenus, and some others. Plato, I believe, was sick.

Echecrates.—Were there strangers present?

Phaedon.—Yes; out of Thebes were Simmias, Cebes, and Phaedontes; and out of Megara, Euclid and Terpsion.

Echecrates.—How? Were not Aristippus and Cleombrotus there?

Phaedon.—No; they were detained at Ægina.

Echecrates.—Was no one else there?

Phaedon.—I cannot recollect any others.

Echecrates.—Now, dear friend, relate what conversation followed.

Phaedon.—I will relate all from beginning to end.

We were accustomed, as long as Socrates was confined in prison, to

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repair to him daily. We used for this purpose to meet in the judgment hall, where he received his sentence, (for this is very near to the prison) and there pass the time in conversation until the prison door was opened, which commonly was not very early. As soon as this was unclosed, we betook ourselves to Socrates, and, for the most part, spent the whole day with him. The last morning found us assembled earlier than usual, for we had heard the evening before, as we were returning home, that the ship had arrived from Delos, and we resolved, as it was the last time, to present ourselves as early as possible.

As we were there together, the jailor, who was accustomed to open the door, came to us and begged that we would tarry and not go in until he should call; for the Eleven, said he, are now taking off the fetters from Socrates, and informing him that to-day he must die. Not long after this, he came to call us. As we entered, we found Socrates even thus, released from his bonds, and lying on his bed; Xanthippe, thou knowest her, sat near him in silent grief, holding her child in her lap. As she looked upon us, she began, after the manner of women, to lament aloud. '*Ah, Socrates! to-day thy friends behold thee, and thou them, for the last time!*' and a stream of tears followed these words. Socrates, turning to Crito, said: 'Friend, let her be conducted home.'—Crito's servants took her away; and she went mourning and wofully beating her breast.

We stood in amazement. At length, Socrates raised himself in his bed, bent the limb that had been confined, and whilst he rubbed it with his hand, spoke thus: 'O my friends, what a singular thing is that which men call pleasure! how wonderful! According to the first appearance, it is wholly opposed to pain, for nothing can be at the same time pleasant and painful; and yet, no one can experience one of these feelings without presently perceiving the opposite, as if they were united to each other at both ends. Had Æsop observed this,' continued he, 'he would, perhaps, have composed the following fable: 'The gods wished to reconcile the contending feelings, but these would not agree to this; they therefore tied them together at both ends, and since that time, one follows close upon the heels of the other.' And thus it is with me now. The fetters caused me some pain, but now that they are away, an agreeable sensation follows.'

'By Jupiter!' exclaimed Cebes, 'it is well, thou hast reminded me. Thou hast, as is said, been composing poetry here in prison; namely, put in verse some fables of Æsop, and composed a hymn to Apollo. Now many inquire, and especially the poet Evenus, what first suggested the thought to thee here, since thou hast never done anything of the kind before. If I am to answer Evenus when he again asks me, and he certainly will, tell me what I must say to him.'

'Say to him, O Cebes, nothing but the truth, that I composed these poems in nowise with the design of rivalling him in the art of poetry; for I am aware how difficult that would be; but merely on account of a dream which I would consider and follow in all possible ways; therefore I essay my powers in the art of harmony, in poetry, also. The following is the explanation of the affair: I had in past times very often a dream, which occurred to me under various forms, but always gave the same command: *Socrates, apply thyself to music and practise it.* Hitherto, I had considered this admonition merely as an incitement and encouragement, as they are accustomed to shout after the competitors in the race course. The dream, thought I, would have me do nothing new, for philosophy is the most excellent music, and to this I have constantly

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devoted myself; it would only kindle my zeal and love for truth into a finer glow, in order that it may not cool. But now, after the sentence had been passed upon me, and the feast of Apollo had so deferred my death, the thought came to me whether I might not, perhaps, be commanded to apply myself to common music; and I had too much leisure to allow this thought to pass without results. I made a beginning with a song of praise to that god whose feast was then celebrated. But I soon perceived that he who would be a poet, must work with inventions, and not principles established by reason; but that a song of praise admitted no inventions. As I myself possessed no gift of invention, I made use of the fictions of another, and taking some of the fables of Æsop, the first that came to hand, I turned them into verse.—This, my Cebes, is the answer to Evenus. Greet him also from me, and if he is wise, so may he soon follow me. I shall, as it appears, and in accordance with the command of the Athenians, set out upon my journey to-day.'

'And dost thou send this greeting to Evenus?' asked Simmias. 'I know him well, and if I am capable of judging, he would not be at all likely to return very hearty thanks for such a wish.' 'How?' replied he; 'is not Evenus a philosopher?' 'He seems so to me,' said Simmias. 'Then be assured he will gladly follow me,' returned Socrates, 'he and every one who deserves this name. He will not, indeed, lay violent hands upon himself, for this is forbidden, as is known to all.'—Whilst saying this, he placed both feet from off the bed on the ground, in order in this position to carry on the conversation. Cebes asked: 'How is this to be understood, Socrates? It is not permitted, sayest thou, to take one's own life; and yet should every philosopher gladly follow one who is about to die?'

'How, Cebes and Simmias,' answered Socrates, 'ye have both heard the philosopher Philolaus; has he never said any thing to you upon this subject?'

'Nothing definite, my Socrates.'

'Very well; I have heard various things upon this subject, and will gladly impart them to you. It seems to me that whoever would undertake a journey, should endeavor to gain some knowledge of the country whither he proposes to come, in order that he may have a proper idea of it. This discussion is also very applicable to my present circumstances; and what more weighty theme could we choose to-day until the going down of the sun, to place before us.'

'How can any one prove,' asked Cebes, 'that self-murder is wrong? Philolaus and other teachers have, in many ways, inculcated this, that it was forbidden; but no one has adduced anything further.'

'Well, let us see if we cannot bring forth something more from this subject. What thinkest thou, Cebes? I assert that suicide is absolutely, under all circumstances, wrong. We know that there are people for whom it were better that they should be dead than alive. Now it may surprise thee that the sacredness of moral obligation should require of these unfortunate persons, that they should forbear to benefit themselves, but await the favor from another hand.'

'A voice from Jupiter may explain that,' said Cebes, smiling.

'And yet, it is not difficult to remove this apparent absurdity by established principles. What they are accustomed to say on the Mysteries, *that we mortals are placed here as sentinels, and must not leave our posts unless relieved*, is indeed not without foundation; though it should not be treated so lightly. But I have some rational grounds which are not

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difficult to comprehend. I believe I can set them forth, so that you will consider them well established :—The gods, (let me now say *God*, for whom have I to fear?) *God is our Lord and master; we are his creatures, and his Providence careth for our highest welfare.* Are not these principles evident?'

'Very clearly,' said Cebes.

'A slave, who is under the care of a good master, acts criminally, if he oppose the designs of the same. Is it not so?'

'Certainly.'

'Further, if a spark of honesty glimmers within him, it must give him real joy to see the wishes of his master fulfilled; and especially if he is convinced that his own highest good forms a part of those wishes.'

'Undoubtedly, my Socrates!'

'But how is this, Cebes? When the original Creator formed the skilfully contrived edifice of the human body, and placed therein a rational principle, had he an evil, or a good design?'

'Without doubt, a good.'

'For he must deny his creatures substantial good, if he could unite an evil design with what he did, or what he permitted. And what is a God who could treat his creatures thus?'

'A chimera, Socrates! a fabulous divinity, to which the lightly credulous multitude assign various forms. I remember well the arguments with which, upon another occasion, thou hast assailed this blasphemous error.'

'The same God, Cebes, who formed the body, has furnished it with powers which strengthen and preserve it from a too early dissolution. Are we to consider these powers of conservation as having a design in the highest degree good?'

'How can we think otherwise?'

'As faithful servants, it must be our sacred duty to suffer the purposes of our Lord and Master to come to full maturity, and not by violence to oppose them; but especially. to bring all our voluntary actions into the most perfect harmony with the same.'

'Therefore have I said, my dear Cebes, that philosophy is the most excellent music, for it teaches us so to regulate our thoughts and actions, that they may, as far as possible, perfectly agree with the purposes of the Lord of all. If music is a science that brings into harmony the weak with the strong, the rough with the agreeable, then, certainly, no music can be nobler and more excellent than philosophy, which teaches us not only to make our own thoughts and actions consistent with themselves, but to cause the actions of the finite to be in unison with the will of the Infinite, and to bring the thoughts of the dweller upon earth into the most perfect and wonderful harmony with the thoughts of the Omniscient. And, O Cebes, the rash mortal who should dare to destroy this beautiful harmony— ?'

'He would deserve the abhorrence of gods and men, my best beloved Socrates!'

'But tell me this, my most esteemed. Are not the powers of nature the servants of Deity, to fulfil his commands?'

'Certainly!'

'They are also presages which make known to us the will and purposes of the Deity, far more correctly than the entrails of victims, for that is undoubtedly the end and purpose of the Most High, whither the powers created by him naturally tend. Is it not so?'

'Who can deny it?'

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'So long, then, as these indications declare that the continuance of our life is agreeable to the intentions of the Creator, we are bound to regulate our voluntary acts in accordance with the same, and have neither right nor reason to do violence to the powers of our nature, and prevent the ministers of the highest wisdom from fulfilling their office. This obligation is binding upon us, till God, by the same indications, shall send expressly his command to us, to leave this life, as to-day he has sent unto me.'

'I am fully convinced,' said Cebes. 'But now, my dear Socrates, I am much more at loss to conceive how thou couldst say a little while ago, that every philosopher must rejoice to follow one who is dying. Is this true, which thou affirmest, that we are the creatures of God, and that he provides for our highest welfare—then that position seems to me absurd. How, should a reasonable man not grieve, when he must leave the service of a Lord who is his best and kindest provider? And even if he could hope through death to become free and his own master, how could the foolish novice flatter himself to be better off under his own guidance, than under the direction of an all-wise Guardian? I mean to say, that it would be a much greater absurdity, if a man should wish to make himself entirely free and not suffer the best Lord to rule and reign over him. Whoever possesses reason, will at all times gladly put himself under the oversight of one whom he trusts to have more wisdom than himself. I should, therefore, come to a conclusion the exact opposite of yours. The wise, I should say, must grieve, the fool will rejoice, as the day of his death approaches.'

Socrates listened to him attentively, and seemed pleased to observe the acuteness of his intellect. Then he turned to us, and said: 'Cebes will give any one enough to do who attempts to advance any thing contrary to him. He always has some turn.'

'But this time,' said Simmias, 'Cebes seems not to be in the wrong, my dear Socrates! Indeed, how can a wise man be induced to withdraw, without sorrow, from the good Providence of an all-wise Ruler? And, if I understand it, Cebes, in his objection, reflects with peculiar force upon thy present conduct; since thou art so calm, so willing to leave not only all of us, upon whom thy death falls so heavily, but also the providential care of such a Ruler, whom thou hast taught us to revere as the wisest and best of beings.'

'So,' said Socrates, 'you have formally arraigned me, as I perceive. And I suppose I must go through with a formal defence.'

'Certainly,' said Simmias.

'Very well,' said Socrates, 'I will endeavor to conduct my present plea better than that which I delivered before the Judges.'

'Hear, Simmias, and thou, Cebes. Had I not hope there where I shall go, to enjoy, in the first place, the same good Providence; and, in the second, to meet with the spirits of the departed whose society is far preferable to any friendship here, it were indeed a folly to meet death so lightly; thus willingly to sink into his arms. But I have the most comforting hopes, that neither of these will fail me. But the latter, I do not presume to affirm with absolute certainty, but that the Providence of God will still be over me; this, friends, I declare as confidently, as ever I asserted any thing in my life. Therefore, it troubleth me not that I am to depart, for I know that death is not the end. There follows another life, and truly, as ancient saying affirmeth, one which shall be much happier for the virtuous than the vicious.'

'How is this, my dear Socrates?' said Simmias, 'Wilt thou carry away

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with thee this holy assurance, locked within thy own breast, or wilt thou impart to us, also, a doctrine that contains so much comfort and consolation? It is right that thou shouldst share so noble a good with thy friends, and if thou canst convince them of the truth of thy opinion, thy defence is complete.'

'I will try,' said Socrates. 'But first, let us hear Crito, who for some time has appeared to wish to say something.'

'I wish for nothing, my friend,' replied Crito. 'Only the man here who prepares the poison will not allow me a moment's peace. I must beg of thee not to speak so much. One gets very warm, he says, and the potion will not work so well. He has often had to prepare a second, or even a third dose, for people who would not be restrained from talking.'

'In the name of all the gods!' said Socrates, 'let him depart, and attend to his duty. Let him get ready the second, or even third dose, if he thinks proper.'

'I have anticipated this answer,' said Crito, 'but he will not cease.'

'O let him!' said Socrates. 'I have here to give an account to my judges, why a man who has grown gray in the love of wisdom should, in his last hours, be of a joyful mind, whilst he promises himself the greatest happiness after death. Upon what grounds, Simmias and Cebes, I affirm this, I will now endeavor to explain.

'This, my friends, perhaps the fewest know, that he who gives himself truly to the study of wisdom—who devotes to it his whole life, comes, at last, to look upon death as a friend, and to await his approach. And it were the height of absurdity, were it otherwise;—to direct, during one's whole life, all wishes and efforts to a single end, and yet to grieve, when at last the long wished for goal appears in view.'

Simmias laughed. 'By Jupiter!' said he, 'Socrates, I must laugh, as little as I am disposed to it. What thou here sayest, the people would not think so strange as thou supposest. They of this place, in particular, would say that they well knew that the philosophers wished to learn to die; therefore they suffered that to befall them which they deserved, and which they were in search of.'

'I would grant them every thing, Simmias, except that they knew anything about the matter. They understand not what death is, after which the philosophers long, nor in how far they deserve it. Yet how do these things concern us? I speak with my friends.'

'Is not death something that can be described and defined?'

'Truly,' answered Simmias.

'But is it anything else than a separation of the body and the soul? To die, namely, does not this mean when the soul leaves the body and the body the soul, in such a way that they have no longer any participation with each other, and each remains for itself? Or canst thou point out more clearly what death is?'

'No! my dearest!'

'Consider for a moment, friend, whether it appears to thee as it does to me. What thinkest thou? Will the lover of wisdom be addicted to what are called the pleasures, and strive especially for costly food and drink?'

'He will wish these least of all things,' answered Simmias.

'Will he be subject to the allurements of passion?'

'Just as little.'

'And, in respect to the remaining comforts of the body, will he, for example, seek for splendor and luxury in his dress; or will he be content with that which is necessary, and disregard superfluities?'

'What one can do without, makes no part of the cares of a wise man.'

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'May we not say generally,' continued Socrates, 'that the philosopher seeks to avoid all unnecessary cares of the body, in order to direct his attention more exclusively to the soul?'

'Why not?'

'He differs from other men, then, in this, that he does not suffer his whole mind to be fettered by the concerns of the body; but endeavors to wean his soul, in some degree, from a participation with the body.'

'It seems so.'

'The great mass of men, O Simmias! will say to thee, that he deserves not to live, who will not enjoy the delights of life. They call this a longing for death, when one renounces the sensual pleasures of life, and abstains from the lusts of the flesh.'

'This is the truth, Socrates!'

'I go further. Does not the body often hinder the lover of truth in his reflections, and can he promise himself remarkable progress in wisdom, unless he has accustomed himself not to be affected by sensual objects? I grant it. The impressions of sight and hearing are, as they come to us from the objects, merely distinct perceptions, but not truth; these must be evolved from them by the action of reason. Is it not so?'

'Most certainly.'

'Also, as individual perceptions are not to be fully trusted, and the poets sing with truth—the senses illude and seize nothing clearly. What we see and hear is full of confusion and darkness; and if these two senses can afford no clear insight, then the remaining, less perfect, are not to be thought of.'

'Indeed not.'

'How, then, must the soul commence, if she would attain unto truth? If left to the senses, she is betrayed.'

'True!'

'She must, then, reflect, decide, conclude, discover; in order, through these means, to press, as much as possible, into the true nature of things.'

'Yes!'

'But what circumstances are most favorable to reflection? It seems to me, when we are least conscious of ourselves; when neither sight nor hearing, neither agreeable nor disagreeable sensations, remind us of ourselves, then the soul withdraws her attention from the body—leaves, as far as she can, its society—in order, collected within herself, to consider, not sensuous appearances, but reality; not impressions as they come to us from without, but the truth which they contain.'

'Again, the soul must seek every opportunity by which she can avoid the body, and as much as possible, retire from it.'

'So it seems.'

'To make the affair still clearer:—Is the *supreme perfection* a mere thought, without external object, or must there be an actual Being, existent without us?'

'Indeed, a real Being, existing without us, and without limit, to whom this attribute must pre-eminently belong, my Socrates!'

'And the highest good, and the highest wisdom,—do these also belong to something real?'

'By Jupiter, yes! They are the inseparable attributes of the Supreme Being, without whom nothing can exist.'

'But who has taught us to know this Being? Have we ever seen him with the eyes of the body?'

'Certainly not!'

'We have neither seen nor heard him; and no outward sense has fur-

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nished us with an idea of wisdom, goodness, perfection, beauty, the powers of thought, &c.; and yet, we know these things really exist without us, and are active in the highest degree. Can no one explain how we arrive at these ideas?'

Simmias said: 'The voice from Jove, my beloved Socrates! I should again appeal to the same.'

'How? my friends! If we heard in the next chamber excellent flute-music, should we not run out to discover the flute-player, who had so charmed our ears?'

'Perhaps not, at this time; since we are listening to the most excellent music.'

'When we contemplate a picture, we wish to discover the master hand that executed it. Now there is within us the most excellent picture that the eyes of gods or men ever beheld, an image of the highest perfection, goodness, wisdom, beauty, &c.; and yet, we have never inquired after the hand that traced this image within us!'

Cebes answered: 'I remember to have heard an explanation from *Philolaus*, which, perhaps, placed the affair in a sufficiently satisfactory light.'

'Will Cebes allow his friends,' said Socrates, 'a share in this legacy of the blessed Philolaus?'

'Perhaps,' said Cebes, 'these would rather hear the explanation from Socrates.' 'Yet be it so. All ideas of incoporeal things,' said Philolaus, 'the soul has attained, not through the outward senses, but from herself, by reflecting upon her own operations; by which, she has become acquainted with her own nature and character. To render this clearer, I have often heard him make use of a fiction. Let us, he used to say, borrow from Homer the two urns that stood in the fore-court of Jupiter,* and at the same time, allow ourselves the liberty of filling them, not with good and ill fortune, but the one on the right, with true qualities, and that on the left, with faults and semblances. As often as all-powerful Jove brings forth a spirit, he draws out of both these urns, and, casting a look upon eternal Fate, who decides the proportion, forms a mixture of qualities, good and bad, which is the basis of the future spirit. Hence, there arises among all rational beings, a wonderful similarity; for they were all drawn out of these two urns, and differ only in the mingling. When our soul, which is indeed nothing but such a mixture of true and false qualities, considers herself, she attains a conception of the nature of spirits and impotents, of perfection and imperfection, of reason, wisdom, power, intention, and a thousand other incorporeal things, concerning which, the outward senses leave it in the deepest ignorance.'

'How incomparable!' said Socrates. 'See, Cebes, thou possessest such a treasure, and wouldst thou let me die, without showing it to me? Yet, let us see, how, still before death, we may enjoy it.' Philolaus said then: 'The soul knows her fellow-spirits, by reflecting upon herself. Did he not?'

'Yes!'

'And she obtains conceptions of incoporeal things, whilst she considers her own faculties separately, and, in order to distinguish more clearly, gives to each particular names.'

'Certainly.'

'But when she would conceive of a higher being than herself, of a Divinity for instance, what shall furnish her with the idea?'

Cebes was silent; and Socrates continued: 'If I have rightly conceived the meaning of Philolaus, the soul can never form a complete notion of a

* Iliad, XXIV. 527.

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being higher than herself, or only of faculties similar, but superior to her own; but she can, in general terms, conceive of a being into which enters more of the true qualities, and less of the opposite, than in herself; that is, of a being more perfect than herself; or, thou hast, perhaps, heard otherwise from Philolaus?'

'No!'

'And of the Being highest of all, of the greatest perfection, she has no more than this feeble glimmer of a perception. She cannot conceive of this Being* in all His fulness; but she presents to herself her own nature,—in thought separates whatever she has of truth, goodness, and perfection, from their opposites, with which, in her, they are mingled, and arrives at the idea of a Being that is pure essence, pure truth, pure goodness and perfection.' Apollodorus, who had hitherto spoken all the words of Socrates, after him, in a whisper, here broke forth in ecstacy, and repeated aloud: '*Pure essence, pure truth, pure goodness, pure perfection!*'

And Socrates continued: 'You see, my friends, how far the lover of truth must separate himself from the senses and their objects, if he would conceive of that, which to conceive is true happiness, a Being of the highest and most complete perfection. In this intellectual chase, he must close eyes and ears; banish every thought of the pains and pleasures of sense, and if it were possible, completely forget the body, in order the more singly and entirely to concentrate the powers of the soul upon her own inward operations.

'The body is, to the reason, in this inquiry, not only a useless, but a troublesome companion; for it seeks neither color nor size, neither sound nor motion; but a Being that can conceive all possible colors, sizes, sounds, and motions, and what is still more, of all possible spirits, in the clearest manner, and bring them forth in every order imaginable! What an unprofitable companion, the body, in such a journey!'

'How sublime!' cried Simmias, 'but how true!'

'The true philosophers,' said Socrates, 'taking these things into consideration, could not regard them in any other light than this, and might address one another in the following manner: 'See, here is a source of error which must ever lead us farther from our aims, and render vain all our hopes. We are sure that the knowledge of truth is our single wish, but so long as we are here upon earth, burdened with the body—so long as our soul is infected with these earthly contagions, we cannot possibly flatter ourselves that we shall see our wishes entirely fulfilled. We would seek truth. Alas! the body leaves us little leisure for so important an undertaking.'

* Some philosophers would humble us by the reflection, that we know nothing of God as to *what he is*, but only *what he is not;* and thus, by an imperceptible distortion, represent the case to us as if we knew nothing of the attributes of God. Now, it cannot be denied, that we may be far from the true idea of a thing, when we know it is not this or that. But how often has it not already been shown, with truth, that though we can only deny all faults and limitations to the Supreme Being, yet this denial has all the value of an affirmation. That we, indeed, do express the attributes of God negatively, is to be ascribed to the peculiar origin of our ideas of God, which have, as their bases, the negation of our own faults and weaknesses. The word *unchangeable*, for example, is the denial of an imperfection; yet, in effect, it is a positive idea, namely, *ever the same;* but we derive this idea negatively, by the negation of that changeableness which dwells in ourselves. For this reason, the forementioned assertion is not well-grounded; for our ideas of God point out not *what he is not, but what is not wanting to him.* But if any one will affirm only this much; that we have, of the positive attributes of God, no *intuition*, no *conscious perception*, this will be readily granted; though not without disclaiming the conclusion which many wish to draw from this, in itself, harmless proposition. The little that is known to us of the attributes of God, loses thereby neither its truth, nor its certainty; neither life nor the power of conviction. Can we not feel within ourselves the infinity of the Divine perfections? yet we have, through inward observations, the means of becoming acquainted with those perfections? and these inwardly observed principles, added to that symbolical obstruction of wants and limitations, give to many doctrines their established certainty. *Saunderson* had no sensible perception of light; but the general analogy between vision and the other senses, made it possible for him, by means of words, to bring before his mind some signs of the rays of light; and the whole theory of optics, which, from their first principle, he explaned to his audience, was none the less incontrovertible.

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ELI WHITNEY,*

THE INVENTOR OF THE COTTON GIN.

A STRUGGLE always presents a manly and inspiring spectacle. Man was made for action—and he cannot but sympathize with earnest and energetic action on the part of others. The struggle of brute force against brute force, is not without interest. The strife of mind with mind is nobler—nobler still is the struggle of mind with unwilling nature, when he is sternly resolved on wresting from her reluctant grasp the secret of her mystery. The interest increases just as the genius is commanding—as the obstacles are great and manifold—as the strife is protracted—and as the triumph is complete and final. If the struggle be for a worthy object, and that object be fully secured in some permanent benefit to mankind, which remains as its lasting memorial, it is nobler still.

For one or all these reasons—the lives of "self-made men" have usually a peculiar charm. They are always read with an eager interest by the young and hopeful. Most of all are they favorite books with the young American. The structure of our government and society gives leave to every man to make the most of himself. The buoyant and hopeful youth of our people, the boundless and undeveloped resources holding out so wide a field for effort, and the familiar spectacle of men, who, from the humblest origin, have risen by native energy to the highest stations of wealth and honor, these all combine to make the incidents of the life of such men the favorite reading of multitudes among us.

There are few lives of this class that present the elements of higher, we might almost say, of more romantic interest, than the life of Eli Whitney. All the elements which we have named are here presean There is great genius, adequately trained for its conflict. There is object most noble and inspiring, and clearly contemplated by him as worthy his efforts—there is success the most complete and triumphant, in a result the value of which defies all computation; and there are obstacles enough to invigorate, to test and develope the sternest heroism. We do not propose to give here an extended view of the character of Whitney, or a history of his life. Both of these have been ably done in the work of which we have given the title. There are, however, some facts and some personal traits, connected with the history of his greatest invention, which ought to be familiar to all our citizens.

Whitney was born in Massachusetts, at Westborough, in the year 1765. His father was a frugal, hard-working farmer, who had some taste for mechanics, as it would seem, having provided himself with a work-shop, which was stocked with a small supply of tools. This work-shop laid the foundations of Whitney's fame, and strengthened the decided genius for mechanics which he very early developed. From the earliest age at which he could handle tools, he was always in this shop. At about the age of 12, he made a very tolerable violin, which was finished in all respects, and furnished very good music. This wonderful performance,

* Memoir of Eli Whitney, Esq. By Denison Olmstead, Professor of Natural Philosophy and Astronomy, Yale College. First published in the American Journal of Science, for 1832. New-Haven: Durne & Peck. 1846. pp. 80.

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for a boy of his age, and at that period in the history of our country, when the mechanic arts were so rude, in an interior country town too, as might reasonably be supposed, established his fame as a mechanic. From this time he was employed to repair violins, and to execute difficult jobs of various kinds, in all of which he seems to have been uniformly successful. At about this period, he took the opportunity, during the absence of his father at church, of prying into the mystery of his watch, which was to him a strange and unknown thing. Before he was aware of what he had done, he had taken it in pieces. But true to his genius, he attempted at once to put it together, and succeeded so perfectly, and so soon, that his father never suspected what he had done. At 13, he made a handsome table knife, to supply the place of one of a well-finished set, which had been broken, and succeeded so completely, that excepting the stamp upon the blade, for which he had not the necessary tools, it matched perfectly with the others. At the age of 15 or 16, he proposed to his father, with characteristic enterprise, to commence the manufacture of nails, which were then made entirely by hand. It was in the midst of the war of the Revolution, and nails were scarce and dear. This enterprise was profitable, so profitable that after two years he determined to enlarge the business, and set off on a secret journey to find a suitable fellow-workman. After travelling forty miles he found his man, and returned—having called at every shop by the wayside, to gather from each all the information which he could in respect to the mechanic arts.

Such was Whitney in his boyhood; distinguished not only for his mechanical skill, joined with bold and self-relying enterprise, but also for a decided interest in the mathematics. His feelings were ardent, yet completely tempered and controlled by prudence.*

From the age of nineteen, he formed the project of receiving a collegiate education, and though thwarted and delayed by influences at home, he adhered to this determination till four years after, at the age of 23, when he was admitted to the Freshman class in Yale College. The expenses of his collegiate career were defrayed from his own industry, with temporary loans from his father. We regard this purpose, formed by such a young man, at so late a period of life, and carried through after so long a delay, as a decisive and striking indication of strong good sense, and a very elevated and comprehensive intellect. The quick and able mechanic is, of all men, the most likely to cherish an overweening sense of his own gifts, and to think that the peculiar skill in which he towers above the whole circle of his acquaintance, is the only knowledge worth possessing. The rewards and promises which hold out to such a man the allurement of speedy and brilliant success, are usually too exciting to be thrust forward into the dim future for the sake of the unattractive studies of abstract science. What views Whitney entertained on this subject, or what particular consideration decided him upon a course so unusual, we are not informed. We record the fact as a decisive proof that his genius, though from the first, daring and self-confident, was freighted with a large measure of foresight, comprehensiveness and good

* When Mr. Whitney was 18 years of age, he became distinctly conscious that he had not the control of his own mind—that his imagination was so fruitful and roving, and his temperament so excitable, that he could not command his attention. He at once set himself, by a deliberate effort, to gain the mastery of himself, and actually to hold his mind to a given point. The effort was trying—it cost him a whole night of struggle, but the victory was complete, and he felt ever after that his self-command was sufficient. He showed to his friends all his life after, the results of this effort in the control of his attention by which he could pass from one subject to another, be, as it were, entirely absorbed in it, and then take up the one which he had left, and find it just as he had left it.

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sense. At college he was much interested in mathematical and philosophical studies, and constantly gave proof that his genius in invention and in practical mechanics was not in the least exhausted.

Thus ended the period of his preparation for the great work to which he was destined to apply his powers. This preparation was singularly complete. There was the earliest and brightest promise, answering completely to the word genius, as understood in its most peculiar and highest import—which genius had been rarely disciplined in those two opposite yet equally essential courses of training—the training of practical life and that of scientific studies. The descent of such a man upon the arena of great achievements, is as the appearance of a giant wearing a giant's panoply, either of which it is pleasant to look upon, but both of which united are splendid and imposing.

After leaving college, Mr. Whitney almost immediately went to the state of Georgia, for the purpose of fulfilling an engagement with a gentleman to reside in his family as a private teacher. On his way to Savannah, by ship, he had as a companion of his voyage, the widow of the then late Gen. Greene, so distinguished in the annals of our revolutionary history. On his arrival at Savannah, being but partially recovered from the small-pox, which he had by inoculation, he was invited by Mrs. Greene to spend a little time at her residence at Mulberry Grove, near that city. He soon learned that another teacher had been employed in the place which he had expected. Mrs. Greene at once kindly and generously proposed to him to commence the study of the law, under her hospitable roof, and to remain in her family as long as he should choose. He had not been long with her before he gave striking proofs of his mechanical ingenuity, which attracted the attention of Mrs. G., and led her to feel that Whitney could meet any exigency in which invention and skill of this kind were required. Not long after, Mrs. Greene was visited by several gentlemen from Upper Georgia, principally officers who had served with her husband in the war. Of these were Majors Brewer, Forsyth and Pendleton. They conversed largely upon the situation and prospects of agriculture in the opening upper country of the South, and expressed regret that no means had been devised to clear the upland cotton from the seed, saying that unless such a point could be attained, it was vain to raise cotton for the market. Mrs. Greene interrupted their conversation by saying, "gentlemen, apply to my young friend, Mr. Whitney, he can make any thing." After showing them, as the results of his ingenuity, the various mechanical contrivances which he had devised and executed, she introduced him to the circle, who at once made known the object to be accomplished, and the difficulties which were in the way. Whitney, in reply, disclaimed any superiority of mechanical genius, and added, that he had never in his life seen either cotton or cotton seed. Mrs. Greene then said, "I have accomplished my aim. Mr. Whitney is a very deserving young man, and to bring him into notice was my object. The interest which our friends now feel for him, will, I hope, lead to his getting some employment to enable him to prosecute the study of the law." The interest of Mrs. Greene in this young and ingenious stranger, who had been fortuitously thrown in her way, deserves to be recorded in her honor. Such interest is not, we believe, uncommon, particularly at the hospitable home of the generous Southerner. It is rare that it meets with a reward so befitting, yet so splendid, as awaited Mrs. Greene, of having her name associated with the man and the invention which was destined to produce so striking a change on the interests and importance of the entire southern country.

Some of our northern readers may here perhaps need to be informed

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that there are two kinds of cotton raised at the south—the one, the *sea island, the black seed* or *long staple* cotton—the other *the upland, green seed* or *short staple.* One of these species can be grown only upon the lowlands near the sea. Its fibre is long and fine; it can be separated from the seed with comparative ease, and it is used in the finer fabrics, as cambrics and muslins. This cotton was the only species that was extensively cultivated previous to Whitney's invention, and its growth was confined as it is now, to rare and peculiar situations. Its price per lb. is many times that of the other; and at this day, though a plantation fit for its culture is of rare value, yet the value of the entire production of this species is quite insignificant compared with that of the whole cotton crop of the Union.

The upland cotton can be raised on a large portion of the interior lands of the southern states. Its fibre is short, and adheres tenaciously to the seed, and presented such difficulties in being cleaned, that the separation of a pound of cotton was esteemed the work of a day for a single hand; this circumstance alone interposing an insurmountable obstacle to its general or profitable culture. It may easily be understood, why the subject of a mechanical invention of this sort was esteemed so desirable by these gentlemen, residing, as they did, on the borders of this upper country—and being able to foresee truly, yet dimly, what immense results were hanging upon the possibility of such an invention.

The hint given to Whitney by these gentlemen, was not lost upon him. The season for cotton in the seed was passed, but Whitney went to Savannah at once, and after a long search, at last lighted upon a small quantity; with this he returned to his temporary home, and communicated his intentions to Mr. Miller, who was then a teacher in the family, and afterwards married Mrs. Greene. A room was assigned to him, to which Mr. Miller and Mrs. Greene were the only persons who were admitted, or who knew anything of his project. His materials and tools were both limited; even the wire which he required, could not be found at Savannah, and he was forced to draw it for himself. "Near the close of the winter, the machine was so nearly completed as to leave no doubt of its success." Mrs. Greene was naturally eager to communicate to her friends the fact, of an invention which promised at once a crop suitable to the soil, occupation for their hands and immense wealth, as the result of the extended culture of an article which had been thought of little worth. She invited to her house gentlemen of distinction from different parts of the state, and conducts her assembled guests to the room in which they saw with astonishment, a machine, which promised such splendid results for all their interests.

Mr. Whitney was at once urged to receive a patent. His reply was prophetic of what actually occurred, and was in substance, that the introduction of a new invention, the protection of it against encroachments of interested and unprincipled men, was an enterprise of doubtful success; and that rather than incur the hazards incident to it, he preferred to strive for the surer rewards attendant upon his contemplated profession. This remark was sagacious and prophetic, for after being overruled in his decision and persuaded to embark his time and his energies to the introduction of his machine, under the protection of a patent, and after spending years of vexation and toil of body and spirit, in the effort to secure to himself some profitable return for his service to his country, he was forced to retire from the contest, with the persuasion, that the effort had been a fruitless one; that what he gained by strife and determined perseverance, was no more than an equivalent for what he actually ex-

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pended in the efforts to secure to himself his rights; the actual loss of time in energy, which, if undistracted, might have been profitably directed to other pursuits—of health and even of life, being reckoned only as a small item in the calculation.

His determination on this subject was changed principally, it is believed, by the agency of Mr. Miller, who entered into a co-partnership with him for the construction and vending of these machines, of which the profits were to be equally divided. The machine was to be patented. The necessary funds for the business were to be furnished by Miller. The instrument of this co-partnership is dated May 27, 1793. But the invention could not be kept a secret till it should be protected by a patent. Great numbers of persons flocked from all parts of the state to see the new invention: and when it was not deemed prudent to allow access to the machine, the building was broken open by night and the new cotton-gin was carried off, so that before the model could be finished, and the letters patent could be secured, the invention was put in operation and several machines were constructed.

The petition for a patent was presented to Mr. Jefferson, the Secretary of State, June 20, 1793. Mr. Jefferson at once took a strong interest in the invention and its originator, and assured Mr. Whitney, that his request should be granted as soon as the model should be lodged at the patent office. In consequence of unavoidable delays, however, the patent was not secured in form till several months afterwards.

It would seem, that with the protection and power of a patent, for a machine so certain to be used and to increase the demand for itself by creating a new staple of the country, the road to affluence would be short and easy. But events issued far otherwise. Obstacles the most trying and depressing at once arose, and with them the persevering spirit of Whitney was summoned to contend during the entire period of fourteen years allowed him, by the patent law. The history of this period is a history of vexation, disappointment and of wrong—not indeed of wrong on the part of those who occasioned it; that was in all or in most cases, deliberate and known, but which to him who suffered it, brought all the painful consequences of such wrong.

We cannot go into a detailed history of the obstacles against which he was called to struggle. A few of the facts only can be given, and these only in a summary way. A prominent cause of these may be found in the plan adopted by the partners, to control and manage the business themselves, by erecting machines in all parts of the country, and to *gin* the cotton at a certain rate per pound, or to buy the cotton before it was separated, and then to control, to a certain extent, the whole crop in the market. It is easy to see how tempting this plan must have seemed to the eyes of Whitney's sanguine partner; how certain to realize immense and sudden wealth; and how likely, on the other hand, to arouse the jealous antagonism of the planters, on whose eyes were also beginning to dawn bright visions of the wealth, which they too might realize through this new channel. A proposition which might seem to appropriate too large a portion of the profits would be likely to sharpen their doubts of the originality of the invention, and to blunt their sense of justice in using the cotton gin wherever it could be found, or whoever might be in law its proprietor. The recent enactments of the patent law, for it was passed in the early part of 1793, the year in which Whitney's application was made, might also have contributed to the difficulties with which Whitney was called to contend. The law which secures to an inventor his rights is less readily appreciated and respected, than one which guards national property, or bodily life. Besides, under a

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government so recent as that of the Union, the impost of such a law was yet to be settled by actual decisions, and its application to be tested by verdicts of juries. At this time also money was scarce, and rates of interest were high, so that at the time when a loud call was beginning to be made for the machines, which were to be manufactured by Miller & Whitney, the partners were themselves embarrassed for the want of capital with which to make them. Then again, at one time, Whitney was prostrated by disease also; and at a second, both being important crises in the fortunes of the infant enterprise, his workmen also were disabled by a fatal epidemic, in July, 1794, just at the time when the first cotton crop was maturing for the new machine, and when Miller was writing to Whitney that within a year from that time from fifty to a hundred gins must be completed and transported to the south. He adds, "The people of the country are running mad for them, and much can be said to justify their importunity. When the present crop is harvested, there will be a real property of at least fifty thousand dollars lying useless, unless we can enable the holders to bring it to market."

Early in the year following, on arriving at New-Haven, from New-York, where he had been detained by a lingering illness, he is informed that on the day before, his shop, with all his machinery and papers, had been consumed by fire. At this time, under the pressure of necessity, (which is the mother of all sorts of inventions, some of which are not the most honest) the necessity arising from the increased culture of cotton, which had been immensely stimulated by the prospect from the invention, two rival machines appeared in the field to dispute the claims of Whitney's. The one of these was the *roller gin*, which, though it executed the work of cleansing the cotton very imperfectly, yet, in the exigency, found many advocates. At all events, it diverted the attention of the public from Whitney's patented machine, and weakened their moral sense in respect to any peculiar claims on his part. The other was the *saw gin*, which applied one of the principles peculiar to Whitney's, with this difference, that the teeth were cut from a continuous plate of metal, instead of being inserted as wires. This idea, by the way, had occurred early to Whitney, as was established afterwards by legal proof. Here, then, was a machine which was really his, and against which he brought his suits, and at last enforced the rights of his patent. But as yet, and for years, while the question was undecided, this was as good as the patent one, and many an honest man might think himself justified in using it. This machine made its appearance in 1795 The year after—for each year brought to Whitney its new calamity—the fatal intelligence was brought from England that the manufacturers rejected the cotton cleaned by the gin, because the staple was supposed to be injured. This at once lowered the price of his cotton in the market, and gave boldness to the trespassers upon his rights. At this moment the company had thirty gins stationed at eight different places in the State of Georgia, and 10,000 dollars invested in real estate, for the purposes of their enterprise. Near the close of the following year the stout heart of Whitney begins to yield, and he writes as follows: "I have labored hard against the strong current of disappointment, which has been threatening to carry us down the cataract; but I have labored with a shattered oar, and struggled in vain, unless some speedy relief is obtained." And in the same letter,—"I have sacrificed to it [our business] other objects, from which, before this time, I might certainly have gained twenty or thirty thousand dollars." During this year, however, the reports from England in respect to the quality of the cotton from the new

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machines were entirely reversed, and a preference began to be given to it over every other in the market.

But the peculiar calamity of this year, 1797, was, that the first trial of their patent at law which could be obtained, issued against them. Notwithstanding the charge of the judge was pointedly in their favor, and the defendants expected a verdict of heavy damages, the plaintiffs lost their case, and an application for a new trial was denied. Thus, after four years had been consumed in a protracted effort to test the validity of the patent, at the first issue that was joined, there was an entire failure. Vigorous efforts were made to bring another suit to trial at Savannah, in the year following, 1798. Witnesses were assembled from various and distant parts of the State, and at great expense, but the judge did not appear, and the trial was deferred. About a year after, Mr. Miller seems to have given up all hopes of defending the patent in the state of Georgia; and it may easily be imagined, how, in a new state, under the new federal Government, with this delay of an enforcement of the right for years, the right might be worthless, especially as the payment of claims which were allowed might be put off for four years, when they would expire by the then existing statute of limitations. In South Carolina a different plan was adopted, at the suggestion of influential planters The proprietors of the cotton gin proposed to the legislature to relinquish their patent right for the use of the citizens of the state, in consideration of 100,000 dollars. This proposal was made in December, 1801. The Legislature offered $50,000, $20,000 to be paid in hand, and the remainder in three annual instalments of $10,000 each. This offer was accepted, though Mr. Whitney writes in respect to it: "This is selling the right at a great sacrifice. If a regular course of law had been pursued, from two to three hundred thousand dollars would undoubtedly have been recovered. The use of the machine here is amazingly extensive, and the value of it is beyond calculation. It may, without exaggeration, be said to have raised the value of seven-eighths of all the three Southern States from fifty to a hundred per cent. We get but a song for it in comparison with the worth of the thing; but it is *securing* something."

Thus, after more than seven years after the patent was issued, and when its time to run had more than half expired, it returned to its owners twenty thousand dollars in hand, with the promise of thirty thousand more. It would be an insult to the common sense of our readers to suppose it necessary to argue in detail the proposition that, far more than this might easily have been sunk before this return in the expenses of unsuccessful suits, and in the unproductive capital that had been invested in the enterprise of manufacturing and working the gins, which, having no protection of law, would, of course, be of little worth to their owners. A year after the bargain with the State of South Carolina, in December, 1802, the right was sold to North Carolina, the Legislature imposing an annual tax of two shillings and sixpence on every *saw*, for the benefit of the patentee. Some of the gins contained forty *saws*, and the tax was to be collected for five years. The cultivation of cotton was at that time limited; but in consideration of the use that was made of the gin, this was thought to be the most liberal compensation that was offered from any service. Another sale on similar terms was made to the state of Tennessee the year following, 1803, the Legislature imposing an annual tax of 37½ cents on every saw, for four years.*

* We have before us the Aurora and General Advertiser, published daily at Frankford, dated Sept. 3, 1802, in which there is a detailed account of a meeting of the citizens of Nash-

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This bright dawning of a better day, though deferred so long, was not unclouded, even when it at last appeared. While Mr. Whitney was negotiating with North Carolina, he learned that South Carolina had repented of its just resolve—had supended the payment of the balance due him, and had instituted a suit for the recovery of what he had already received. At about the same time the Governor of Georgia, in his annual message, took very decided ground against any grant to the patentee. A committee of the legislature, to whom this part of the message was referred, reported strongly in its favor, and urged united action, on the part of the then Southern States, [Georgia, South and North Carolina, and Tennessee,] to resist the grievance of the patent as likely to depress "the culture and cleaning of the precious and increasing staple," or to petition the General Government to make just compensation to the inventor. Tennessee followed the example of South Carolina, and suspended the payment of the stipulated tax, while North Carolina adopted a resolution "that the contract ought to be fulfilled with punctuality and good faith." The grounds of this hostile movement on the part of South Carolina were, first, a technical failure on the part of the patentees to fulfill some stipulation in the contract; and second, a real suspicion of the originality of the invention, it being contended all over the South that such a machine had been seen in use in Switzerland forty years before, for the purpose of picking rags to make lint and paper. The tide in South Carolina, however, soon turned, and in the year 1804 the Legislature confirmed their original contract. About this time Mr. Miller died, leaving Whitney to struggle alone. He at last triumphed in the State of Georgia, and obtained a decision vindicating his patent in December, 1807, just about a year before the expiration of his right, and the year following, as the right was expiring, two other suits were gained. In all of them the originality of the invention was triumphantly established, and the rights of the patentee were clearly asserted. These decisions were, however, too late. But the fact that they had been delayed so long was not the most painful aggravation. This arose from the circumstance, that for nearly thirteen years his time and physical strength and his mental energy were absorbed in this vexatious enterprise of contending for his rights. More than *sixty* suits had been brought before a single decision was obtained which vindicated these rights. He had made six journeys from New-Haven to Georgia —several by land—some of which involved the severest exposure to his health and the hazard of his life. It is the testimony of a gentleman who was intimately acquainted with Mr. Whitney's affairs at the South, and whom he consulted as a legal adviser, that "in all his experience in the thorny profession of the law, he had never seen such a case of perseverance under such persecutions; nor," he adds, "do I believe that I ever knew any other man who could have met them with equal coolness and firmness, or who would finally have obtained even the partial success which he had. He always called on me in New-York, on his way South, when going to attend his endless trials, and to meet the mischievous contrivances of men who seem inexhaustible in their resources of evil. Even now, after thirty years, my head aches to recollect his narrations of new trials, fresh disappointments, and accumulated wrongs."

In 1812, Mr. Whitney applied to Congress for the renewal of his patent. His memorial is long and able, stating the painful story of his strugles and

ville Tennessee, July 21, of which General Andrew Jackson was chairman, and the account of which is signed by him as such. After a preamble, the meeting resolved, "That it will tend much to the agricultural and commercial interests of this state, that the legislature at their next session, purchase the patent-right of the said saw gin, for the use and benefit of its citizens, and lay a tax on the makers and users of said gins, to discharge the said sum which may be contracted, to be given to the patentees for the patent right aforesaid," &c. &c.

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the little profit that he had received. He says, that "from no State had he received the amount of half a cent per pound on the cotton cleaned with his machine in one year. Estimating the value of the labor of one man at twenty cents per day, the whole amount which had been received by him for his invention was not equal to the value of the labor saved in *one hour* by his machines then in use in the United States." "The invention has already trebled the value of the land through a great extent of territory, and the degree to which the cultivation of cotton may be still augmented, is altogether incalculable." "In short," to quote the language of Judge Johnson, of South Carolina, "if we should assert that the benefits of this invention exceed one hundred millions of dollars, we can prove the assertion by correct calculation." "There is no probability that the patentee, if the term of his patent were extended for twenty years, would ever obtain for his invention one-half as much as many an individual will gain by the use of it. Up to the present time, the whole amount of what he has acquired from this source, (after deducting his expenses,) does not exceed one-half the sum which a single individual has gained by the use of the machine in one year.. It is true, that considerable sums have been obtained from some of the states where the machine is used; but no small portion of these sums has been expended in prosecuting his claim in a state where nothing has been obtained, and where his machine has been used to the greatest advantage."

This memorial was sustained by several distinguished individuals from the cotton-growing districts, but it was not granted, and it was never renewed.

This closes the history of the cotton gin, so far as the connection of its inventor with it is concerned. But it does not finish the history of Whitney's services to his country. In the year 1798, despairing of anything of consequence from his cotton gin, Whitney embarked in a new enterprise, that of manufacturing arms for the government. He was ignorant of the details of the business, and as yet had no works at command, no capital and no workmen, and yet he ventured with clear and well sustained confidence in his own resources, into a business that was complicated, embarrassing, and new. The result was, the most complete success—or rather it might be said that he created this branch of manufactures anew. His methods were entirely new and peculiar, both in the allotment of the work, and in doing very much by machinery of various and complicated construction, that had hitherto been done by the file with an experienced eye and hand. The result was, that the several pieces of a musket made at his establishment were so exactly alike, that the smallest screw or spring fitted for one is equally fitted for any and every other. These improvements were introduced against much scepticism and many obstacles into all the public and private armories of the Union—and it is mainly owing to Whitney that the manufacture of arms by this government, is unsurpassed in any public armories in the world. There is, perhaps, no exhibition in the manufacture of metals, that is more beautiful and exciting, than that furnished in the armories at Springfield and Harper's Ferry, and it is Eli Whitney to whom these improvements are owing. It was admitted by a former Secretary of War, in conversation with Mr. Whitney, that the annual saving, years ago, at the public armories, in consequence of Whitney's improvements, was more than $25,000 a year. It was from this business, that Whitney derived the greater portion of the estate which he accumulated; but it is believed that this estate amounted to hardly more than he enabled his country to save at this moment, in her armories in a single year.

These improvements are not necessarily confined to the manufacture of arms, but are applicable, and have been applied to the working of metals of

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every kind, and Whitney's memorials may be said to exist in every machine-shop in the land.

The incidental benefits conferred by him upon the entire circle of the mechanic arts, and the interests connected with them, are not lightly to be esteemed. The elevation of these arts and of those connected with them, in the estimation of the public, by the devotion to their advancement, of so high a genius, and by the manifest demonstration of the fact, that the highest and most thorough mastery of science, strengthens rather than weakens, the hand of art, are felt, after the man who has exerted these influences is gone, and form no inconsiderable item in the sum total of the good which he has conferred upon his race. It was certainly true in the case of Whitney, that his personal influence and the weight of his example, were thus felt in his life-time, and have not ceased since his death. It is owing to his influence, and to that of Hillhouse, men of singular kindred spirits, in respect to the devotion of energy and genius to the general improvements of the outward interests of man, that the City of Elms is so attractive to the eye of the stranger, in the outward indications of neatness and taste, which pertain to elevate every dwelling, and are seen along every street, and that these external appearances are found, on a closer observation, to be so sure an index of the intelligent industry, and the frugal thrift of the citizens.

But the great gift of Whitney to his country and his race, was the gift of the cotton gin; and it is for this that he will deserve to be cherished longest in their honorable remembrance, and in their grateful homage. We have seen that there was something singularly interesting in the manner and circumstances of the invention. By far the greater number of inventions, come of accidental suggestion, or are completed by gradual improvements, or result from the application of machinery already in being to a new purpose; but in the case of this of Whitney's, there was the contemplation of a great desideratum, proposed as the worthy subject for a trained and powerful genius—then there was the cheerful devotion of the mind to meet this want, and then the speedy, the easy, and the successful triumph.

But the value of the gift deserves our consideration. We have spoke of it as a gift of Whitney to his country and to his race. What then did Whitney give to his country?

He gave to his country, directly, all the increased value which the public lands of the cotton growing states, have received by the invention. As soon as this invention was made known, and its adequacy was fully established, the inland districts of the south and south-west at once rose immensely in value, and the extensive public lands of the United States rose with them. Whatever, therefore, the government, as a direct owner of property, which it offers for sale, has received, or is yet to receive from this advance upon its property, *that* has been and will be put into her treasury, by the gift of Eli Whitney, of what the value of his gift to her in this form has been and is to be, some idea may be formed from a remark of Mr. Jefferson to Mr. Whitney, not long after the purchase of Louisiana, that the increased value of the lands of the United States, in consequence of the cotton gin, had at that time, (this was ten years after the invention,) been more than sufficient to pay the cost of that territory. How many times fifteen millions of dollars have since been added to the value of the public domain, by the increased culture of cotton and the widening market for it, can neither be estimated nor conjectured.

Whitney gave to his country its greatest staple production, and the means of an extensive and profitable trade with England. Though the cotton plant had been known before the days of Herodotus, and though the green seed or upland cotton had been known from this early period, yet, as an article of commerce, it had never been known till this method of cleaning was di

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covered. A few statistics need only be given, to show the immense value of the production, which was created by this invention, and of the trade which has grown out of it. In the year 1791, the whole cotton crop of the United States was 2,000,000 of pounds. In 1845, it was more than 1,000,000,000. In 1791, the United States produced $\frac{1}{245}$ of the cotton produced in the world. In 1845, it produced more than $\frac{7}{8}$ of the product of of the world.

In 1793, the year of the invention, the whole crop was 5,000,000 of pounds, and the quantity exported was 487,600 pounds. In 1794, the year *after*, the crop was 8,000,000, and the exportation was 1,601,760 pounds. In 1800, six years after, the crop was 35,000,000, and 17,789,803 were exported. In 1810, two years before Whitney applied for the renewal of his patent, the crop was 85,000,000 pounds; and of *upland* cotton, 84,-657,384 pounds were exported. In 1845, the entire crop was 1,029,850,-000 pounds; 862,580,000 pounds were exported, and 167,270,000 pounds were consumed at home. Cotton has been for many years not only one of the staples, but *the* great staple for export. For many years past, it has constituted from one half to seven-tenths of the entire exports of the Union.

These facts speak for themselves. They tell us that the planters of the south owe it to the cotton gin, that, for half a century past, they have been able to raise and send to market their great staple, and that it is to Whitney that they are indebted for the great estates they have accumulated, and the ample incomes which they have so generally expended. Whatever wealth the country has received in the increase of individual estates, the country owes to the inventor of the cotton gin. These statistics tell us, that whatever has been made by the immense trade between this country and its great customer on the other side of the sea, is mainly owing to the same invention. The shipper of the cotton owes to him the profit on his freights. The importer the profits on goods, which he has been able to buy with cotton; and the government, the revenue which she has exacted on these goods, as well as the immense advantage which she has gained from having so abundant a staple of her own, with which to pay for the imports which she has received. The manufacturers of cotton too, whether at the north, they drive their magnificent establishments, and receive their splendid dividends; or whether at the south, they are inspired by the hope of the same success, in their vigorous, though infant enterprises; the busy troops of operators whom they pay, and the neighboring farmers who find a ready market for their produce, all owe it to the same genius, that they have the *material* art, of which to bring these larger or humbler returns. All that prosperity, too, which results from the combined and harmonious working of the producing, the commercial and the manufacturing interests, as far as these interests have been dependent on the cultivation of cotton, has received its impulse from this invention, and owes its acknowledgment to Eli Whitney.

We have seen what Whitney has given to his country. The question is very natural, what has he received *from* that country? It was his own testimony, as asserted by an intimate friend, Professor Silliman, and that testimony was given in his hearing near the close of life; that the disease, which cut short his life, was brought on by exposure and fatigue during the last of his land journeys, to assert his just claims so long injuriously frustrated. He received then, first of all, the termination of his life in the midst of those domestic enjoyments which had been so long deferred in consequence of the delay of his just rights, and in the possession of that fortune, the acquisition of which he had been forced to put off till the noon of his days.

So far as a pecuniary return is concerned, he received *nothing;* for it was

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also his dying testimony, that "all he had received for the invention of the cotton gin had not more than compensated him for the enormous expenses which he had incurred, and for the time which he had devoted, during many of the best years of his life, in the prosecution of this subject." On such a subject as this, Mr. Whitney was not likely to exaggerate; his mind was too self-possessed, and his integrity too uncorrupt to allow him to yield to the gloom of disappointment, or the violence of passion. His cheerful application to new fields of enterprise; his ready and generous forwardness to serve his friends, his country, and his race, with no prospect of return, and the courteous hospitality with which he received and returned the warm esteem of gentlemen from all parts of the Union, as well as the fact that this esteem was so lavishly bestowed upon him—all show that his views of this subject were neither morbid nor selfish. When, therefore, he said as he did deliberately, that he "felt that his just claims on the cotton-growing states, especially on those that had made him no returns for this invention, so important to his country, were still unsatisfied, and that both justice and honor required that compensation should be made—we should feel assured that his testimony but expressed the truth in the case—if all the particulars which we have enumerated did not both suggest and confirm the same conclusion.

It is not necessary to go at length into the reasons of his failure to receive the just compensation for his eminent services. Many can be imagined in the then infant state of the country, and the unsettled judgments of men in regard to the rights of discoverers, and the unequal action of patents; and in their jealous opposition to monopolies without supposing a decided and deliberate purpose to defraud or wrong a man from whom the cotton-growers had received their all. We are quite certain that the state of Georgia, at this moment, would be as far from such injustice as any other in the Union. And if the question were presented to her now, whether she owed no debt to the inventor, she could not, in the view of her whitening cotton fields, and in the hearing of the noise of *her own* cotton mills, but generously acknowledge the obligation. It is not, however, an obligation for any one state. The whole Union is too much indebted to the great invention to be content to leave the obligation to be cancelled by any one of its sisterhood. The name of Whitney is too intimately associated with her honor, and with her unexampled growth and prosperity, to be remembered by her with any other than the profoundest gratitude.

We do not approve of lavish or indiscriminate testimonials to the honor of the living or the deceased, who have deserved well of their country; but that such a testimonial ought to be rendered to such a man, who has added uncounted millions to her wealth, is too clear to be argued. We are bold to say, that to no man, whether living or dead, does she owe more for her physical prosperity and wealth, than to the subject of these remarks. We trust the time may come when an opportunity will be furnished to repay this obligation, and the name of Whitney shall not be coupled with the ingratitude or neglect of this great and free people.

Upon his tomb-stone there is the following appropriate inscription:—"Eli Whitney, the inventor of the cotton gin. Of useful science and arts, the efficient patron and improver. In the social relations of life, a model of excellence. While private affection weeps at his tomb, his country honors his memory." '*His country honors his memory!*' Let it be seen that she does, not by idly bending over his tomb, nor by lauding his name with verbal adulation, but with generous and united zeal testifying to his family, some substantial token, that she appreciates the genius and services of the man who has contributed so much to her prosperity.

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FINANCIAL AND COMMERCIAL REVIEW.

During the month which has elapsed, financial affairs have continued to suffer under the artificial pressure which the nature of our position in regard to England, in connection with the anti-commercial operation of the Banks, has brought about. Tightness or ease of the money market expresses only the extent to which borrowing beyond the immediate availability of existing floating capital has been carried on. Where the obligations of merchants maturing at banks are all represented by merchandise; the sale of which will realize the means of discharging the obligation, there is but little danger of severe pressure, because the paper is not dependant upon borrowing to meet the note. When from any cause the markets for the sale of goods become choaked, and to sell is to sacrifice, there is a disposition to hold, and to obtain means by sale of stocks or borrowing on securities, wherewith to meet the maturing paper. It always happens at such times that borrowing is the most difficult, because the refusing to lend is frequently the cause of the depression of the markets. To a very great extent, the transaction of business on bank discounts is a false system, which inevitably leads to disaster. As long as markets are active and the institutions loan freely, the plan works well; but it is precisely at such times that the loans are least needed. It results inevitably from continually increasing loans that the maximum line of discounts must be ultimately reached and curtailment become necessary. The moment that takes place pressure ensues, and men of capital have to disburse largely in the shape of discounts to obtain money to keep good their credit; the profits of years are sometimes swallowed up in a few months of pressure. Those who have done a large business on a small capital cannot sustain the necessary expenditure, and the "weakest goes to the wall." The scarcity of money which has existed in the last two months, has been immediately produced by the temporary unavailability of a large portion of the national exports through the discredit of the bills drawn against it; but this effect would have had far less influence, had not the banks of New-York incurred the charge of criminal neglect, thoughtlessness, and incapacity in the conduct of their business. In Great Britain, where the commercial community as here depend to a considerable extent upon bank accommodation, and the means of the bank to lend those facilities, as they are called, are known to depend upon the state of the specie in the Bank, the institution is required to report weekly the amount of specie held by it, as also the sum of its loans and circulation. These figures are a guide not only to all the banks, but to all the merchants in the kingdom. If a well informed merchant sees a continuing diminution of bullion in the bank, he knows that the institution ought to curtail its movement, and by lessening its discounts, gradually prepare the community for a pressure when the drain shall have become serious. If the loans of the bank are gradually called in while money is easy, the obligations of the public are as gradually narrowed, and the demand for money constantly diminishing. As the bank returns are made public weekly, sagacious merchants regulate their own conduct by the results exhibited, even although the bank should neglect to act with prudence. In New-York the community has no guide of this nature; all is involved in doubt and darkness. The banks make a return once in a quarter, and the result is not published until 20 days after the date. The information it conveys is practically valueless. It has been the case, that as soon as the quarterly report is made, the institution expands without limit, and again curtails at the approach of another quarter. By these means a most injurious fluctuation in the market has been created. The community for some weeks has suffered from the consequences of the utter incapacity of the banks to forsee and regulate their operations according to known laws of finance. They usually, each one acting for itself, loan as much as they can where there exists no immediate drain for

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specie. If a drain occurs that ought to have been foreseen, it finds them greatly extended, and overtaken by reasonless fright, they refuse all accommodation. The community having no means of judging of this condition are blundering in the dark, exposed to any injury the banks may inflict. During the past year the business of the city has been greater than ever before; the influx of bullion great, and the loans of the banks have accordingly reached a magnitude never before attained. In order to observe this movement, we will from official sources, compile a table of the imports and exports of each quarter, showing the loans of the banks at the close of each quarter as follows.

IMPORTS, EXPORTS AND BANK LOANS OF NEW-YORK, QUARTERLY.

Quarter ends	Jany. 31, 1847.	April 30.	July 31.	Oct. 31.	Total year.
Imports	14,374,444	29,309,294	22,678,392	27,863,433	94,225,563
Exports	11,354,374	11,648,579	17,753,495	12,325,220	53,081,668
Total	25,728,818	40,957,873	40,431,887	40,188,653	147,307,231
Loans	70,087,342	76,688,553	80,740,679	80,258,529	

The amount of business transacted was larger for the April quarter than for either of the others; yet the line of discounts was not so high as it reached in the succeeding quarter. A considerable portion of the imports of the April quarter ($6,000,000) was specie, and money was in demand to meet the operations of large houses, who required facilities to enable them to import the precious metals to such an extent. This paper was in demand by the banks to the exclusion of other business paper, and the arrival of the specie discharged it. The degree in which the arrival of specie affected the banks for the quarters corresponding to the above, is seen in the following.

	Jan. 31, 1847.	April 30.	July 31.	Oct. 31.	Total.
Imports	291,612	6,961,644	2,168,729	390,874	8,812,859
Exports	81,409	321,431	320,000	1,091,473	1,814,317
Excess imports	210,203	5,640,209	1,848,729		6,998,542
" exports				700,399	
Amount in Bank	9,203,242	11,312,171	11,983,124	9,107,920	

The figures represent only the direct movement to and from the port. The amount of specie received here through the steamers arrived at Boston was important; and there was also near $16,000,000 paid into the custom house for duties, which to considerable extent, passed off into general circulation through government expenditures. Under these circumstances, the institutions carried their loans to an important figure in August. At that time the revulsion in England began to exert an adverse influence upon American interests, and the conduct of the banks of New-York should have changed to meet it. Instead of that, they pursued a reckless course until the November quarter, when they suddenly turned upon the community without notice. Had the general business been less healthy, or the merchants less firm, extensive bankruptcies must have resulted. Had the community entered into the speculations to which the banks had endeavored to incite them, general ruin would have been the consequence. The packet of the 4th August brought information that the temporary ease in the London market had passed away, and that numerous failures in the corn trade had taken place. This was supposed to have resulted from a reaction and fall in corn. Packet after packet brought news of continued distress and gloomier prospects, each arrival tending more to discredit those houses on which American bills are usually drawn; and many merchants bought exchange to cover former remittances, for fear the bills in which they were made might be dishonored. Now the importations were large, and the only means of paying for them was the exchange offering in the market. It became therefore self evident, that if, through discredit, those means should prove unavailable, a proportionate demand for specie would fall upon the banks. The institutions paid no regard whatever to these signs. In fact, as there is no summary report made public, there was no guide to the country banker to regulate this movement by the specie in the city banks, and the latter acted

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each independently, without knowledge of the movements of the others. Nearly three months of adverse exchange, exports of specie, increasing discredit of bills, and gloomier prospects from England, passed away without any effort of these institutions to prepare for a pressure, or by gradually curtailing to diminish the amount of obligation to be met when the crisis should arrive. The return of October 31 found the loans as high as on 1st of August, and the packets of Nov. 1 carrying a considerable amount of specie, these institutions were suddenly seized with a panic, refused all loans, run each other for balances, and amid the alarm they sounded and did their best to enhance, good business paper sold as high as 2 per cent. per month, and money could not be had on the best securities. Had the returns of the banks been published weekly through the quarter, the fluctuation of the specie and the progress of the loans would have been a guide to prudent merchants, and they would not have been subjected to the destructive caprice of these thoughtless institutions. Some failures took place, but insignificant in comparison with what, under such circumstances, would have resulted, had the markets not had the advantage of the steadiness which the operations of the Independent Treasury imparted to the national commerce. The money market of New-York and neighboring cities has been tight during the month. All parties have acted upon the desire to protect themselves against the demand for the precious metals by curtailing their obligations. Money has been in fair supply from private sources, and at high rates, sufficient has been obtained to make remittances and meet notes as they mature. A rapid diminution of outstanding obligations, private and corporate, has resulted with considerable activity in the precious metals going to and fro in the discharge of balances. The state of affairs in England has gradually assumed, although perhaps temporarily, a more favorable aspect. The same causes which with large balances due the United States, induced exports of specie to England, produced similar effects on all countries with which England has dealings; and from the first to the middle of November, considerable amounts in specie arrived in England, which, by flowing into the bank, much relieved its position. This specie was acquired only through the non payment of very large amounts of bills running upon London from all the colonies, and the effects of throwing such quantities of paper back upon drawers of small capital are yet to be realized. On the 25th of October, the bullion of the bank being at a very low ebb, and the reserve of notes apparently sinking fast, the government authorized the bank so far to infringe the charter act of 1844, as to loan notes as formerly in excess of the amount secured, at a *minimum* rate of 8 per cent. interest on sums not less than £2,000. The announcement of this fact created for the moment a little return of confidence; bullion, to some extent, flowed back to the bank, and as Parliament was summoned to meet Nov. 18, it did not think it prudent, in face of that radical, and newly constituted assembly, to infringe a law without its sanction having been previously obtained, endangering its charter; and although it loaned money at 8 per cent., did not overstep the limits of the charter act. Its leading features, October 25 and November 6th, were as follows:

BANK OF ENGLAND.

	Bullion.	Private Loans.	Deposits.	Net Cir.	Reserve of Notes.
Oct. 23	8,312,691	19,467,128	8,588,509	20,318,175	1,547,270
" 30	8,439,674	20,424,897	8,911,352	20,842,412	1,303,103
Nov. 6	8,730,351	19,919,915	8,804,305	20,396,445	2,030,985

The specie had slightly increased, and near £1,000,000 of gold had arrived in a short time, of which £552,000 was from St. Petersburgh on account of the Russian government. The reserve of notes which constitutes the banks' power to lend was increasing but slowly; but from the immense curtailment in obligations that the last three months of pressure must have effected, and the general stagnation of business money was apparently more easy: that is, the bank minimum rate was 8, while it could be had out of doors in some cases as low as 6½. The French loan, which has so long been a bugbear upon the market, was to the extent of $46,875,000, adjudged to the Messrs. Rothschild

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at 75.25 per cent. for a 3 per cent. stock, payable at the rate of $2,000,000 per month, interest commencing upon the whole loan immediately. The announcement of this result had a very favorable influence upon the Paris market. The Messrs. Rothschild immediately paid up 25,000,000 francs for the instalments due Nov. 22 and Dec. 22. This ease in the English money market is evidently fictitious; it results from the non payment of debts and stoppage of industrial employments, when famine is impending in Ireland and food advancing in England. The ease of the market revives enterprise, and with its revival the old symptoms must return; bills must be paid, produce purchased, and operatives employed; and with the recurrence of these features the drain of bullion will recommence. It wants but a revival of confidence in the ample supply of bills offering in the United States markets to bring back with interest all the gold that has been shipped.

The annual message of the chief magistrate and the report of the Secretary of the Treasury, place in a very conspicuous light the great prosperity of the Union.

The aggregate imports and exports of the year have reached the unusual figure of $305,194,260, and the domestic exports have been so large a proportion of the amount as to have kept the balance greatly in favor of the Union. It appears that for the year ending with Dec. $23,844,001 will have been transferred to the mint, and coined into American money, making a vast addition to the hard currency of the country. Every department of industry has been well and profitably employed, growing out of the great prosperity which the agricultural interests, the basis of the whole, has derived from the demands of Europe for produce, aided by a low and uniform tariff. As an instance of the remarkable outpouring of wheat and wheat flour, in excess of all estimates, we annex the following table of the deliveries at tide water on the Hudson.

The aggregate values of this grain sum up as follows:

RECEIPTS OF WHEAT AND FLOUR AT TIDE-WATER. VIA. NEW-YORK CANALS, AND WEEKLY PRICE OF FLOUR IN NEW-YORK, FOR 1847.

	1844.		1845.		1846.		1847.		
	Flour. Bbls.	Wheat. Bush.	Flour. Bbls.	Wheat. Bush.	Flour. Bbls.	Wheat. Bush.	Flour. Bbls.	Wheat. Bush.	Price of fl'r.
To June 1st....	402,422	159,491	466,677	71,347	482,422	129,744	609,935	318,540	$9.25
June—1st week	83,235	23,210	62,272	14,278	109,033	63,530	179,417	250,658	8.75
2d "	56,964	38,077	54,871	14,433	136,296	59,122	188,281	240,652	8.81
3d "	72,619	7,552	55,964	19,185	119,765	32,970	147,600	313,204	8.00
4th "	64,454	21,195	46,777	27,582	128,644	33,229	234,831	438,004	7.12½
July—1st week	50,946	21,110	39,774	28,233	88,202	61,342	218,106	262,089	7.25
2d "	48,071	10,565	36,391	12,869	83,828	68,717	129,560	159,991	6.50
3d "	59,945	19,939	50,789	27,152	183,722	87,948	146,132	95,123	6.12½
4th "	67,119	67,885	59,382	21,573	65,490	79,363	151,016	143,618	5.25
Aug.—1st week	50,327	15,643	46,463	549	50,520	31,247	104,201	106,594	6.25
2d "	48,927	35,295	41,137	7,402	52,738	36,554	79,953	55,912	6.00
3d "	52,259	66,176	42,943	15,421	65,175	85,826	99,271	69,821	5.87½
4th "	70,276	58,355	53,909	29,080	73,213	75,094	104,250	83,517	5.87½
Sept.—1st week	69,093	64,786	49,458	21,032	51,235	80,170	74,766	81,300	5.87½
2d "	75,491	57,438	75,819	34,825	69,009	137,118	68,095	61,171	5.62½
3d "	71,514	55,773	77,078	70,871	79,157	159,425	69,740	76,145	5.62½
4th "	98,172	50,913	82,289	85,797	115,630	156,090	90,628	69,335	5.87½
Oct.—1st week	76,964	103,679	89,412	75,572	106,026	135,125	98,152	61,720	5.87½
2d "	79,687	82,536	81,322	82,600	98,032	193,127	103,584	50,286	5.87½
3d "	89,320	78,716	127,599	144,945	120,682	269,205	126,717	133,986	6.62
4th "	120,836	43,013	146,858	182,156	65,166	123,034	149,480	153,347	6.68
Nov.—1st week	73,867	28,217	146,397	126,180	178,488	282,499	168,718	117,692	6.37½
2d "	98,220	45,230	132,114	110,190	196,104	211,105	150,897	159,203	6.25
3d "	139,685	67,246	240,580	185,543	240,652	203,249	176,855	248,256	6.12½
4th "	98,692	39,609	179,350	197,269	144,450	123,179	274,633	407,842	6.37½
	2,222,204	1,262,249	2,487,587	1,581,492	3,300,050	2,923,664	3,944,818	4,158,010	

The aggregate value of this grain sum up as follows:

	1844.	1845.	1846.	1847.
Value Wheat	$1,211,759	2,005,140	3,366,141	7,122,170
" Flour	9,999,918	13,653,898	15,470,271	27,380,170
Total	$11,211,677	15,659,038	18,836,412	34,502,340
Quantity in Barr'l	12,373,269	14,019,427	19,423,914	23,882,100

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The value of this grain alone reaching tide water has tripled in three years; that is to say, the quantity has doubled and has sold, by reason of commanding a foreign market for the surplus at higher prices, placing $23,000,000 more at the command of the producers of wheat than in 1844, and nearly doubling what they received in 1846. The quanty of Indian corn brought to tide water has been 5,889,776 bushels, valued at $5,300,798 against nothing in 1844. The deliveries of some other articles have been as follows:

	1843.	1844.	1845.	1846	1847.
Cheese lbs	24,336,260	26,674,500	27,366,779	35,087,393	40,695,005
Wool "	6,216,400	7,672,300	9,417,500	8,563,806	11,221,384
Bacon "	—	—	965,200	2,034,600	3,562,030
Butter " }	24,215,700	19,590,300	21,709,705	21,194,030	22,653,861
Lard " }		2,612,400	3,097,067	7,347,966	5,237,460
Total 5 articles, lbs.	54,768,360	56,549,500	62,556.251	74,237,813	83,370,736

It is observable that the receipt of these articles is progressing in quantity yearly, like breadstuffs, and that the effect of the foreign demand this year has been to take off a larger portion of the surplus, after supplying the wants of the Atlantic, and by so doing enhancing the prices which the producers have obtained for the whole quantities. The great staple of the south has sold well; and those Atlantic states which have sold large crops at high prices, have made unusual profits. For the coming year, it would appear that the prospect of a large European market for breadstuffs continues; but the prospect for a large demand for cotton is less favorable, while the crops promise well. As a whole, there does not appear any reason to suppose that the coming year will be less favorable than the last.

The business of the port of New-York has been far greater than ever before. The following tables, compiled for the New-York Evening Post, from official sources, show the comparative monthly business for the year ending with November, being the fruit of the present tariff.

IMPORTS—PORT OF NEW-YORK.

	1846.				1847.			
	Specie.	Free G'ds.	Dutiable.	Total.	Specie.	Free.	Dutiable.	Total.
Dec.	78,496	558,185	3,439,991	4,076.672	61,346	537,496	4,279,813	4,878,655
Jan.	43,221	376,905	4,842,884	5,263,010	90,874	478,443	5,499,682	6,068,999
Feb.	96,779	474,360	4,177,952	4,749,091	1,235,122	282,128	5.889,387	7,409,637
March	62,225	1,092,476	8,657,793	9,812,494	1,329,458	786,937	6,060,746	8,177,141
April	106,544	2,228,878	4,105,393	6,440,815	3,397.064	1,987,033	8.339.429	13,723,526
May	27,286	1,300,751	4,160,360	5,488,397	1,326,697	738,755	5,868,261	7,933,713
June	29,122	1,239,006	4.605,527	5,873,655	547,813	401.358	5,689,109	6,638,580
July	54,879	729,235	5,411,595	6,195,709	294,219	861,578	7,950,602	9,106,399
Aug.	44,882	826,815	7,585,427	8,457,124	195,555	404,290	12,974,196	13,574,041
Sep.	10,044	600,849	5,272,923	5,883,816	94,546	916,909	8,111,845	9,122,500
Oct.	69,809	991,449	2,738,977	3,800,235	100,773	312,383	4,753,836	5,166,992
Nov.	139,392	719,215	2,568,183	3,426,790	58,915	471,142	4,117,164	4,647,221
	762,679	11,138,124	57,567,005	69,467,808	8,732,382	8,180,652	79,534,070	96,447,104
Duties				16,613,561				20,532,025

EXPORTS.

	Specie.	For'n Gd's.	Domestic.	Total.	Specie.	Foreign.	Domestic.	Total:
Dec.	133,786	145,795	2,516,733	$2,796,314	—	154,221	4,211,300	$4,465,521
Jan.	21,762	161,432	1,939.412	2,122,606	73,728	78,346	3,042,552	3,192,626
Feb.	126,700	172,693	1,673,242	1,972,545	4,000	79,274	3,384,733	3,468,009
M'ch	257,781	188,288	1,463,529	1,909,598	243,887	134,437	3,768,574	4,146,896
April	519,599	310,445	1,998,836	2,828,880	73,558	123.098	3,737,018	3,933,674
May	291,041	294,412	2,529,096	3,114,549	156,000	328,471	3,673,393	4,159.864
June	—	316,562	3,745,687	4,062,249	134,330	311,757	6,810,203	7,256.290
July	80,463	162,817	2,876,015	3,119,295	27,670	121.990	6,687,681	6,337,341
Aug.	57,589	207,256	2,413,782	2,678,627	66,000	167,045	4.812,063	5,045,108
Sept.	2,255	388,169	2,238,401	2,628,825	350,925	193,375	2,672,452	3,216,752
Oct.	70,350	370,439	3,354,142	3,794,931	674,548	238,574	3,151,238	4,064,360
Nov.	7,681	278,287	3,510,269	3,796,227	1,455,946	271,718	1,907,879	3,635,545
	1,569,007	2,996,505	30,259,144	$34,824,646	3,262,592	2,299,308	47,860,086	$53,421,986

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These aggregates compare for three years as follows:

Imports.	1845.	1846.	1847.	Exports.	1845.	1846.	1847.
Specie	782,851	762,679	8,732,392	Specie	2,306,130	1,569,007	3,262,592
Free	11,144,598	11,138,124	8,180,652	Foreign	4,251,855	2,996,505	2,299,308
Dutiable	56,357,969	57,867,005	79,534,070	Domestic	25,022,465	30,259,144	47,860,086
Total	68,285,418	69,467,808	96,447,104	Total	32,477,450	34,824,656	53,421,986
Duties	17,965,270	16,613,561	20,532,025				

This shows a very considerable increase of business; and the year of low tariff contrasts very favorably with the two previous ones of comparative high tariff.

GOSSIP OF THE MONTH.

POLITICAL GOSSIP.

A public meeting assembled at the beginning of the month at the Tabernacle, Broadway, to make a demonstration of sympathy for the enlightened efforts of Pope Pius IX, in behalf of the liberties of the Roman States, so long under the oppressive sway of papal and Austrian tyranny. It was highly creditable to our noble city that so large and respectable an assemblage came together for so righteous a cause, appealing so directly to our best feelings and most laudable aspirations. The propriety of such a meeting at such a time, and for such a purpose, cannot be reasonably questioned. For, what cause is more sacred in our eyes than the regeneration of an abused and intelligent nation, and what other country than ours, in the whole world takes and justly ought to take in such an event, so sincere an interest? The comfort and moral aid of this temperate and elevated expression of feeling on the part of the first city in the greatest living republic to the long suffering nations of brutal misrule, will beyond a doubt, be deep and abiding. The apprehension expressed in some quarters, that this marked display of American sympathy, will alarm the absolute powers, (Louis Philippe included,) and will induce them to unite in a more determined combination than ever against the courageous head of the Catholic Church may be true, but the new born zeal likely to be awakened all over Italy when this news shall reach them, will sustain them against farther efforts and all odds that absolutism can bring to bear. It was well and eloquently observed by Mr. Sedgwick, who, with many of our ablest men, addressed the assembly during the evening, that "it was our destiny to champion the cause of Freedom on both sides the Atlantic, and that no matter what might be the counsels of the prudent and the timid, we must go on, and meet the responsibility Heaven had assigned us." This, beyond cavil, is the true American feeling, that of the sober, yet generous-hearted masses, whose will constitutes the only law under which we, as a Government and people, act. There was another feature connected with this meeting we rejoice to notice. It was that lofty spirit of religious and political toleration that brought men of all sects and all parties together to worship like brothers around the holy altar of human liberty. This of itself was an incident that could not but be universally gratifying to all lovers of our country, whilst it may serve as a warning, instructive and pregnant, to our enemies that the jealousies and divisions on which they have so idly counted in times past, are but feeble props to their infamous machination in the future. Let them take heed, and despair, for never as a people were we more united and powerful, and as we rise in the scale of nations and our influence goes

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on, spreading and growing, it is sure that we will deem it generous, if not necessary, to give full and bolder expression to our intense abhorrence of that accursed League against the hopes and happiness of mankind, which has too long been allowed to cumber the earth. Its time is evidently drawing to a close, and upon us above all others, in the wisdom of providence, seems to devolve the grand, the sacred duty of hastening its downfall. It is unnecessary to dwell on the proceedings of the meeting, which were orderly and impressive. An address admirably expressed, conveying to his holiness, the Pope, the heartfelt assurances of our sympathies, was unanimously voted. Messrs. B. F. Butler, Sedgwick, Selden and Field, were amongst the most distinguished speakers, whose eloquence gave additional interest to the occasion.

Since our last, we have had a most labored oratorial effort from Mr. Clay. In his previous attempts on the presidency, the great whig orator has tried at least fifty ways of making his election sure by writing as many letters expressing as many different views on the same number of subjects. It turned out on every occasion from 1825 to the last well-remembered canvass, that his epistolary skill was by no means equal to his ambition and the hopes of his desperate party, who clung to him with the tenacity of drowning men. His constant ill-luck in writing has induced him to go back to his old trade of talking, and we have waded through column after column of a long-winded and most clumsily contrived speech. It is high time that our great orators should leave off making "great speeches," really great in nothing but their interminable length. A superior and cultivated intellect is above all displayed in the character and style of a public address. It should ever be suited to the occasion, and nothing is more conclusive proof of its imperfection than inordinate length, when delivered before a large and promiscuous audience. The speeches of our public men of recent years, have in this respect, been insupportable. Compare them with the speeches of the truly great orators of our revolutionary times,—Adams, Franklin, Henry, Jefferson. How tersely, but how comprehensively were expressed the profound thoughts and patriotic views of those educated scholars; and how infinitely superior in matter and manner to the illogical and insipid garrulity of our modern parliamentary Knights. The speech of Mr. Clay is a case in point, and we find no other excuse for its thousand defects of mind and expression than the evident fact of his decaying powers. We shall say no more of it than to express our wonder, "great as our content," that he should so entirely have misapprehended the sense and feelings of this country as seriously to make the preposterous suggestion of stultifying ourselves in the eyes of Europe, by abandoning the whole of our conquests in Mexico, without even the hope of being thanked, and returning home to confess ourselves "fools as well as villains."

There is such an utter want of common sense in this ludicrous proposition, that we can do nought else than marvel at its absurdity, and leave it to others as ridiculous as its author to explain or defend. The people of this country, both whig and democrat, may have their doubts of annexing Mexico, thinking it neither wise nor expedient to go that length. They may regret ever having got into the war, and wish with all their hearts, that they were well out of it; but when a public man or a public writer comes deliberately forward and commands them to fall on their recreant knees before the indignant eyes of the Holy alliance and acknowledge themselves everything that is stupid and base, and crave to be forgiven, then we think that he must have reached the condition of one of those "aged men who scold and drivel" without knowing wherefore he is angered. We do not hesitate to give undisguised expression to our feelings as to the position taken by Mr Clay in reference to Mexico, for it is now apparent that we have always, with thousands of well-meaning persons, greatly overrated the honesty of his character and the purity of his motives. Only a year ago, we blushed at the loss of dignity and the display of bad feeling and worse taste that Mr. Clay was guilty of, when at a convivial assembly in New-Orleans, he declared his readiness "*to slay a Mexican*," but we thought it however the outburst of an intemperate patriotism, respectable even in its excesses. This late speech must now convince every sensible person, that his motives in both cases were hypocritical. Last year he thought the war was popular, this year he thinks it is not; hence

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his contradictory expressions. This double-dealing is not the way to the Presidency. The people are not such utter dolts as the veteran politician considers them. Let us look however with pity rather than derision on so painful a spectacle.

THEATRICAL GOSSIP.

The Astor Place Opera has, since our last, continued to do well. The houses have been good, and the performances satisfactory. Doubts, however, are frequently expressed by those deep in the mysteries of the establishment respecting its success. This seems singular in the face of receipts averaging over $600 per night. To our great astonishment we learned, upon inquiry into this enigma, that there was ground for real apprehensions. The management, whoever they are or have been, have made an egregious error, which they as men of business cannot be disposed to deny. They have rushed thoughtlessly into a quagmire of expense which threatens to swallow them all. Their company is nearly double in number and more than double in price what it should be. Just think of the astounding fact that the curtain rises every night to the tune of over $800 expenses. Why this would sink the establishment if they had ten times the talent and double the audience to support it. The heedlessness with which the matter has been mismanaged is palpable in the fact of four *prima donnas* being engaged when two only are wanted. This is clear from the intention declared of sending a portion of the company to other cities to diminish the expense of paying them. For half the money given to four there is no doubt two excellent singers might have been had. Economy in theatres as well as in mercantile houses is the first and best rule of successful business, and we recommend its earliest adoption to the powers that preside over the doubtful destinies of the Astor Opera, as the only possible means whereby they can be saved, which we sincerely hope. Our anxiety to preserve the existence of an Italian opera in New-York is the only motive in attacking the inexcusable follies made in its direction. We do so lightly, and in the constant expectation that good will come of it. It is really astonishing that persons of the good sense and experience in matters of business that characterize the gentlemen concerned in the getting up of this temple to a lovely art, should have been so misled hitherto in all their arrangements for securing its success. Bargaining with artistes should not be done (if they are worth engaging at all) in a vile, huckstering spirit; but why secure double when half will do? The worthy individuals alluded to would not have likely laid up the splendid fortunes they rejoice in, had they dispatched four ships to their consignees when two only were required or demanded. To return to the opera performances which of late have been sufficiently varied and attractive. A *Debutante la Signora Biscaciante*, of Italian origin, though American born, made her appearance in the popular role of *Amina*. She was only tolerably successful we are sorry to say. Perhaps expectations were too highly raised, and due allowance should be made for the natural emotions of a new appearance before a public vigilant, and uncontrolled by cliques or influence of any sort. It is a singular but striking fact that all artistes, even the most renowned from abroad, are more deeply agitated on presenting themselves for the first time before an American audience than before the most refined assemblages of Europe, not because they consider us better judges of their powers, but they feel they must rely more exclusively upon their own merit for success. Neither cliques, nor *claques*, nor editors, nor aristocratic patrons, can save them here from a verdict different from that which their real worth commands. They come forth perfectly unsupported by extraneous influences of any kind, and for this simple reason they experience emotions of downright terror they never underwent before. Even the irresistible Fanny Elssler, who could not have been unconscious of her wonderful powers of fascination as exemplified in the enthusiasm of all Europe that stunned her with its frantic plaudits, yet even the overwhelming Fanny confessed that she was never so completely unmanned, (if that's not a bull,) never so entirely overcome, appalled, paralyzed, as on the night of her brilliant debut in New-York. She could scarcely stand when she was actually pushed upon the stage. What then must others less renowned undergo? We saw

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the charming Truffi's fright a couple of weeks since, and we believe that *la Biscaciante* was nearly as much affected. On Wednesday, the 15th inst., Beneditti made his rentree in his popular character of *Edgardo* in the *Lucia de Lammermoor*. He was cordially welcomed and deserved all the applause he received. He sang and played exceedingly well, and we consider his addition a desirable one to the company. But we beg to say a plain word or two respecting this artist, which may be of advantage to all parties. One of the absurdities of the public of New-York—no, not the public *en masse*, but of some silly portion of them, is to waste an extravagant deal of panegyric, puffing and petting upon an artiste whose merits are likely to make him popular. Mustachioed men are ready to fight for him, whilst the ladies, sensitive souls, show the utmost willingness to die for him. Now this childish and misplaced imitation of European inanities is "tolerable and not to be endured," as worthy Dogberry says. The effect of it on the intoxicated artiste is first to make a fool of him, second to encourage him to play various antics on and off the stage that are sure to seal his fate sooner or later, for his *dilettanti* friends take to flight the moment he gets into a scrape. Beneditti lost his voice or humbugged the public through these puerilities last year, and if he is inclined to indulge in a similar game this season we do not hesitate to predict an unpleasant result. We expected an ebullition of his overfed vanity in his acting and singing on the night of his rentree, but he pleased us on the contrary by his moderation and judgment. It is well for him if he has found out his latitude and which way his true talent lies. One word of M'lle Truffi, who made her debut in the lovely but difficult role of *Lucia*. She was evidently suffering from severe indisposition, and we were informed that she had kindly agreed to appear after only three repetitions of the part. Notwithstanding these drawbacks her acting was inimitable in grace and expression, whilst her execution of many of the morceaux left nothing to be desired, and afforded just grounds for the enthusiastic applause which was showered on her. This role is destined to be one of her greatest triumphs; and Beneditti must work hard hereafter to keep up his reputation along side of his formidable and enchanting rival. M'lle Truffi, if we are not mistaken, will yet become an European celebrity. She has every element of immense success in her profession, and if her ambition be equal to her talents our prediction will be verified.

Mr. Forrest.—Our distinguished tragedian will leave the north on his last southern tour in the beginning of January direct to New-Orleans, where expectation is on the tiptoe for his coming. His engagement will be brilliant beyond example. His acting, so wonderfully improved, if possible, since his last visit to the Crescent City, guarantees that result; but, from the fact of its being his farewell engagement, we may expect some unusual demonstrations of public enthusiasm for an actor without a rival, and a citizen without reproach. We hear a splendid public dinner in his honor is on the *tapis*, and other compliments will probably follow. Mr. Forrest will on his return play at St. Louis and Cincinnati, so that we shall not look upon "his like again" in these latitudes till July begins to wane. Few men in any profession work harder than our industrious tragedian, but none are so richly compensated, not merely in vile lucre, but in the hearty admiration of numberless thousands, grateful not only for the fleeting pleasures of the hour, but for the charming souvenirs of a whole life. Who will not treasure up whilst memory holds her seat his thrilling delineations of Lear's misfortunes, of Othello's agony, of Damon's patriotism, and of the high-wrought soul of Virginius? Yes, these are recollections that must embalm for long, long years this gifted actor in the minds of all who have either sensibility or intelligence to feel his magic touch, or comprehend his excellence.

Park Theatre.—The only successful engagement played during the month at this Theatre was that of Messrs. Placide and Collins. It was a real treat to our citizens to listen again to the manly, gay voice of their old favorite Placide, whose acting has lost none of its varied beauties, its quaint pathos, rich humor and faithful delineation of nature, sans exaggeration, sans trick, sans defect of any sort. It is unaccountable that our principal Theatres,

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the Park and Broadway, allow such an actor as Placide, whose popularity is equal to his merit, to remain in New-York whole months without engagement. Is it to be wondered at that such stupid indifference to their own interest and public taste should involve them, as present appearances indicate, in final bankruptcy and ruin? Who cares to express sympathy or even to give advice to managements, who have neither wit, enterprize, or apparent desire to escape the fate they seem to court? When two Theatres like these mentioned, in the heart of a populous and theatrical neighborhood, are threatened, in the middle of the theatrical season, with the necessity of closing their doors, there can be only one possible reason for it, which is exactly the case here, that they have no entertainment whatever to offer to the public, worth a third of the price of admission. Since Placide and Collins, an agreeable actor bye the bye, left the Park, the only theatrical provender fished up in some unknown waters have been a few Heron, white not red, which have not served even to stimulate, much less satisfy public appetite.

The *Broadway* concern has been obliged to take up last month's leavings of the Park, the mongrel, Bishop troupe, made up of shreds and patches of English and Italian, whose ludicrous representations of first class opera would make angels weep, if they could, by any stretch of the imagination, be supposed present at such sorry sights. If Mad. Bishop knew her own interest she would engage a really superior singer like Mad. Pico, and with some skilful subordinates, set off on a tour to the interior, en route to Mexico, where dollars are readily exchanged for notes far inferior to theirs. But it is reported that Mad. Bishop is afraid of such a rival as Mad. Pico, and that her "still, small voice" would be lost in the full, sonorous tones of the finest *contralto* in the United States. This is an idle fear. At all events Mad. Bishop will learn, after living a little longer amongst us, that she had better think more of her interest and less of herself, and the result will not fail to be both profitable and satisfactory.

The Cunard steamer line from Boston to Liverpool, are coming hereafter to New-York, as the proprietors are alarmed at the rivalry so suddenly evidenced by the appearance of the American line of steamers from New-York, via. Southampton to Bremen. So far, these transatlantic steamers have been wholly supported by American patronage, which, if once withdrawn, will throw them probably on their beam-ends. And this is a result likely to occur from present symptoms. If the American line prove itself to be equal in safety and speed—and who can doubt that American skill is not equal to British any day, on sea or land—it is beyond all question certain, that every true hearted American will cheerfully lend every encouragement to his own country's enterprise. There is another reason stronger still why we should give a rebuke to this English Cunard line, which, in the day of its ascendancy, dared to venture upon a brutal display of hostility to American prejudices that should be remembered now.

Only last year, that black vagabond, Douglass, who spent his time in England propagating his filthy lies against the United States, which were greedily swallowed by English hypocrites and fools, returned to this country in the Cambria, under the especial protection of Capt. Judkins, who first insisted that this offensive negro should sit at table with American gentlemen, and, failing in this, he magnanimously gave up to his odorous protegé his own bed and state room. The year before that, Capt. Judkins, whose black propensities are strong in the ascendant, authorized this self-same negro to hold forth on his deck against the cruelty and infamy of lying America, that talked of liberty in one breath, and refused to live cheek-by-jowl with their nigger brethren in the next. On remonstrances being temperately made by some American gentlemen, this insolent cub of the sea, Capt. Judkins, threatened to *put them in irons!* Ought we not to get him up a public dinner, and a cold bath to boot, on his advent in New-York? This suggestion, we learn, is under meditation.

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NOTICES OF NEW BOOKS.

THE POETICAL WORKS OF JOHN MILTON; with a Memoir, and Critical Remarks on his genius and Writings, by JAMES MONTGOMERY; and one hundred and twenty engravings from drawings by William Harvey. In 2 volumes. Harper Brothers, New-York.

What a mine of intellectual wealth is contained in the poems of our modern Homer. We are too mercenary and mercantile to stay and explore the riches of thought and learning, which lie beneath the surface of his magnificent numbers. Who, like himself, built the lofty rhymes, and pictured forth the scenes of the Paradise of God in such supernal beauty and boldness of imagination. To cite the words of an eminent critic;—"Milton possesses sublimity enough to command our fear, and gentleness enough to awaken our affection. He unites the fancy of Spenser to the majesty of Æschylus, and the delicate finish and grace of Canova to the bold and sweeping outlines of Michael Angelo. He was at once a Hebrew and a Greek, an Italian and a Briton. He gathered his treasures from every region of the earth. On every shore the tide of ages had left something worthy of preservation. Whatever he touched, be it before never so worthless, started into life beneath the potency of his Promethean pencil. The corruptible might then be said to put on incorruption, and the mortal, immortality. A block of marule from Pentelicus became a prize worthy of contention by princes after it had been fashioned into beauty by the chisel of Praxiteles, and the humblest thought, subjected to the alchemy of Milton's genius, became transmuted into something precious and costly. He was an enchanter who changed all the earthen edifices of the imagination into pure gold." It only remains for us to speak of the embellishments in these elegant volumes; they aré not only numerous, extending to 120, but very artistic, ideal, and vivid in conception in a word, worthy of the master genius they are designed to elucidate and illustrate. We regard the splendid series of our great Standard Poets,—of which this work forms a part,—and which also includes the poetical writings of Thomson, Goldsmith, Cowper, etc., as an omen of great promise for the arts in this country; and we may add, that the fact of their emanating from the great publishing house of the Messrs. Harper, in no degree lessens the feeling of gratulation which so gratifying a circumstance is calculated to inspire. We need scarcely add that these beautiful works are admirably adapted for Gift-Books and presentation at the present season, being as intrinsically valuable as they are elegant and attractive.

POSTHUMOUS WORKS OF DR. THOMAS CHALMERS.—Daily Scripture Readings, or Horæ Biblicæ Quotidianæ, vol. i., forming the commencement of the Posthumous Works of Dr. Chalmers. Harper Brothers, New-York.

Whatever emanates from the gifted pen of the celebrated Chalmers will be eagerly sought after by the public, more particularly the present volumes, which are the results of the mature reflection and calm deduction of his profound mind. The whole series will comprise 9 royal 12mo. volumes, elegantly printed, uniformly with the English edition. The first of the series is entitled "Horæ Biblicæ Quotidianæ; or, Daily Scripture Readings." These were commenced by the author about six years ago, and were continued until the time of his death. A portion of the Bible was read every day, and the reflections which it suggested were immediately written in a few brief paragraphs. They comprise his first and readiest thoughts upon each verse. These "Readings" commence with Genesis and extend to Jeremiah. This work will extend to three volumes. And a more valuable legacy to the literary world has seldom been bequeathed. No private library can be without these volumes.

LIFE OF BUNYAN, author of the Pilgrim's Progress; compiled from his own writings. By Ira Chase, D.D. L. Colby & Co., 122 Nassau-street, N. Y.

The world-wide popularity of Pilgrim's Progress has created a general interest in the life of the remarkable author; and the present compilation is every way calculated to answer the expectation.

THE POWER OF ILLUSTRATION—An element of success in Preaching and Teaching. By John Dowling, D. D. L. Colby & Co., 122 Nassau-street, New-York.

This is an admirable and useful treatise on the subject set forth in the title, and recommends itself to all preachers and teachers.

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THE GREEK TESTAMENT.—The Four Gospels and Acts of the Apostles in Greek, with English Notes, Critical, Philological and Exegetical, Maps, Indexes, &c.; together with the Epistles and Apocalypse—the whole forming the complete Text of the New Testament. For the use of Schools, Colleges, and Theological Seminaries. By Rev. J. A. Spencer, A. M. Harper Brothers, New-York.

This comprehensive and elaborate work, the result of great research and patient labor, is probably the most complete of its kind extant, and presents the most suitable edition for general use. The learned author has apparently bestowed the greatest care in drawing from every quarter whatever he deemed advantageous to the object he had in view, and the results do great credit to his judgment, industry and learning, and will be fully appreciated by the public.

PICTORIAL HISTORY OF ENGLAND: Harper Brothers.

This valuable work has reached its 34th number, and doubtless grows in public estimation with the extent of the issues. It is by far the most valuable history that has been produced of any country. Reporting, as it does, the progress of affairs in the British Islands from the earliest times, it is remarkably free from that aristocratic bias which so often disgusts the reader, and destroys his confidence in English works. It is of radical cast, and the vices and errors of princes and nobles are not palliated or defended. It displays the hideous picture of aristocracy in all its deformity and with all its disastrous results, while it enters into the concerns of the people, and developes their progress in a social and religious point of view, and with exceeding interest.

THE BOY'S WINTER BOOK.—Description of the Ocean Scenery, Rural Life, and Country Amusements. By Thomas Miller, with 36 Illustrations. Harper Brothers, New-York.

This is a highly interesting little juvenile work for the season of presents.

MIDSUMMER EVE: A Fairy Tale of Love. By Mr. S. C. Hall. Harper Brothers, New-York.

This very interesting romance forms number 108 of Harper's Library of Select Novels.

GOLDSMITH'S POEMS: Illustrated with numerous exquisite designs. By the Fletcher Club. Harper Brothers, New-York.

This is probably the most elegant edition of Goldsmith's Poems ever issued from the press in this country. It is in a style uniform with the beautiful edition of Thompson's Seasons, by the same publishers—being the most desirable present that could be devised at this season of compliments. The writings of Goldsmith seem in the lapse of time to grow in public estimation, and each generation welcomes him with a warmth mellowed by distance. Typographical beauty and richness of style conspire to lend new charms to these ever welcome pages.

A RHYME OF THE NORTH COUNTRIE. By A. M. Gleeman. Cincinnati: J. A. & U. P. James.

A very acceptable volume of western poetry.

WASHINGTON AND HIS GENERALS OF THE AMERICAN REVOLUTION: complete in two volumes, with 16 portraits on steel, from original pictures. Carey & Hart, Philadelphia.

These volumes are well got up, and do great credit to the enterprise of the publishers, who state, in substance, in their notice, as a means of accounting for the almost simultaneous publication of their volumes with an edition in New-York by another house, that they had originally suggested the work to the Rev. J. T. Headly, author of Napoleon and his Marshals, who, without notifying them, got up the work for the benefit of a New-York house. This allegation has been denied by Mr. Headly, and a newspaper war is the consequence. It does not appear, however, that the public have any great interest in the matter, beyond the fact that in consequence of the errors alledged, two rival editions of the same work have been produced, and that which is best will be the most manifest. That of Messrs. Carey & Hart appears to be the most full and comprehensive, most replete with facts, and in so far is the most desirable. The style of Mr. Headly is attractive, and well suited to military memoir, but the reader by no means acquires that confidence in the truthfulness of detail that a less dashing manner would inspire. He becomes impressed with the idea that enthusiasm has been made to supply research, and the imagination of the author to eke out a paucity of facts. For ourselves, we had rather toil with Washington amid the realities of Valley Forge, than be prancing with Murat amid the smoke of a distant battle. The views taken of even's in the edition of Carey & Hart, are more in accordance with popular opinion. While Mr. Headly attempts to soften the crimes, and apologize for the conduct of the immortal traitor Arnold, on the ground simply that he was brave; in the rival edition the infamy of the wretch is properly set forth. To make courage the excuse for crimes so infamous, is but a poor compliment to that gallant army which knew no fear, and in the innocence of its courage never faltered in its patriotism. The edition under notice mentions the great services and amiability of Gen. Knox, and the high confidence he enjoyed from Washington He was born in Boston, and when the troubles were brewing, the maternal grandfather of the writer of this notice commanded a citizen corps

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of grenadiers, of which Henry Knox, afterwards Gen. Knox, was lieutenant; and we have often listened with delight to the anecdotes of Knox, told by his octogenarian commander. On the arrival of Gen. Gage from England, the corps being drawn up to receive him in King, now State-street, its soldierly appearance drew from that officer the remark, "Why! I was not aware that his majesty had any troops in America!" The compliment conveyed in this remark was highly prized by Knox. The memoir remarks that Knox had some difficulty in escaping from Boston when the war broke out, and that his wife accompanied him, concealing his sword beneath her dress. This is not strictly correct. The lines as they were called, were on "the Neck," and Knox's former commander in the grenadiers having been to the lines to procure the passage of a chaise containing a nurse and child that had been in the country for its health, on his return, met Knox riding out of town. The future General remarked, "I have at last got clear, I think. My sword blade is thrust through the cushions on which we sat, and Lucy has the hilt in her pocket."

Lexicon Scientiarum; A Dictionary of terms used in various branches of Anatomy, Astronomy, Botany, Geology, Geometry, Hygiene, Mineralogy, Natural Philosophy, Physiology, Zoology, &c. For the use of all who read or study in college, school or private life. By Henry McMurtrie, M. D. &c., Professor of Anatomy, Physiology and Natural History in the Central High School of Philadelphia. E. C. & J. Biddle, No. 6 South Fifth-street, Philadelphia.

There is perhaps no general reader who has not felt the urgent want of a ready means of reference to the import of the various scientific terms that he encounters in almost all works either of amusement or instruction. Scientific students and advanced scholars have experienced this recently in a greater degree, and all classes alike welcome in the work of Dr. McMurtrie, the desideratum felt in common by all. The work is no half way performance, but is the result apparently of profound erudition and laborious execution, having in view the precise nature of the defect which the book was to remedy. It is admirably got up in a portable and cheap style, and needs but to become generally known to be fully appreciated.

Etymological Class Books. E. C. & J. Biddle, No. 6 South Fifth-street, Philadelphia.

The conviction has been for some time gaining ground, that the study of the analysis of words into their elements, of the meaning of these elements and the method of combining them—in other words, the study of Etymology—is essential, especially to the mere English scholar, to a proper and intelligent comprehension of the language. These exercises, also, like all rational exercises connected with the study of language, have been found to be one of the most efficient means of disciplining the youthful mind. But hitherto serious difficulties have been experienced from the want of text-books precisely adapted to the necessities of English scholars; and many teachers have omitted what they believed to be an important branch of primary instruction, because no method of teaching it had been presented that seemed sufficiently practical. This want has been supplied with books by James Lynd, Esq., and published by Messrs. Biddle of Philadelphia.

The First Book of Etymology is admirably designed to facilitate the acquisition of a knowledge of the English language. It treats of the distinction between primitive and derivative, simple and compound words, and of the nature of prefixes and suffixes; list of Latin and Greek roots, with copious bits of English words derived from each, &c.

The Class Book of Etymology is designed for higher classes, giving a sketch of the nature and origin of languages, a concise history of the English language with the use of etymology, with copious bits of derivation and their roots, with a table of synonymns, &c.

An Etymological Dictionary. By John Oswald. Has appended thereto a key to the Latin, Greek and other roots, by James Lynd. It contains more than twenty-nine thousand words of the English language, classed under their respective roots, which are arranged in alphabetical order; also the prefixes and suffixes of our language, classified, and their meaning illustrated by more than sixteen hundred words. Copious notes are added, explanatory of the meaning of scientific and technical terms, and of words whose usual acceptation differs from their literal meaning, &c.; and an Introduction by the late Dr. J. M. Keagy, showing the adaptation of the work to the purpose of teaching English composition, is prefixed.

These works, executed with great labor and ability, cannot fail to afford much valuable assistance to all classes of students, and particularly to those who, being destitute of an acquaintance with the Greek and Latin classics, are desirous of obtaining an accurate knowledge of the terminology of science, and of the structure and derivation of the English language.

Alamance, or the Great Final Experiment. Harper & Brothers.

This forms No. 104 of Harper's Library of Select Novels, and is a very interesting story, of which the scene is laid in North Carolina.

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Outlines of General History, in the form of Questions and Answers, designed as the Foundation and the Review of a Course of Historical Reading. By Richard Green Parker, A. M. Harper Brothers.

This is a very excellent and useful work, as far as by-gone ages are concerned; but Mr. Parker's historical reading should have taught him that contemporaneous history is never impartial, and that the excellence of history consists in its being a *true* record. Very little of the so called histories, in any age that have been written, is possessed of this excellence, however, and indeed it cannot be expected, when a writer like Mr. Parker misstates matters that have occurred within the memory of all. The dedication of the book to Amos Lawrence, Esq., has a partizan *smell* about it, which its advocacy of the exploded folly of protection generates. And when, as on page 264, we encounter such statements as the following, we discover the cloven foot:

"The government of Mexico had abolished slavery; but the inhabitants of Texas wished to retain their slaves, and they accordingly made another attempt to shake off the authority of Mexico, which the battle of San Jacinto crowned with means, although its independence was never acknowledged by Mexico."

This would lead the reader to suppose that the only difficulty between Mexico and Texas was in respect to slavery, and that the act of Mexico to abolish slavery was the sole complaint of Texas; when the truth is, that in Mexico the *peon* system of slavery exists to this day, and the first act of Texas, as a government, was to abolish the slave trade; and she is the only government that ceded the "right of search" to England for its suppression. There are many similar misstatements which destroy the usefulness of the latter part of the book.

A Compendium of English Literature—Chronologically arranged, from Sir John Mandeville to William Cowper, consisting of Biographical Sketches of the Authors, choice Selections from their Works, with Notes Explanatory and Illustrative, and Directory to the last Editions, and to various Criticisms; designed as a Text Book for the highest Classes in Schools and Academies, as well as for Private Reading. By Charles Dexter Cleveland. E. C. & J. Biddle, No. 6 South Fifth-street, Philadelphia.

This is an admirable series of Biographies and Selections, and its author, Professor Cleveland, is favorably known to the public as the author of valuable books on the Latin language. He informs us in his Preface that the plan of the present work was forced upon him many years since through the want which he experienced of some work to place in the hands of the young ladies comprising his first class, that should furnish them with a knowledge of standard English writers, and the progress of the languages as developed in their works, arranged in chronological order. From a smaller work, printed in 1838, more fully developed in a series of lectures, sprang the present volume, which is certainly highly adapted to the object indicated, and which reflects great credit upon the author as well as upon the publisher, for the neatness, typography, and taste of its general appearance.

Miscellanies of the Græffenberg Water-Cure, or a Demonstration of the Advantages of the Hydropathic Method of Curing Diseases, as compared with the Medical. Translated by C. H. Meeker, A. M., M. D., Member of the Scientific Hydropathic Society of Germany. Drs. Peirson and Meeker, 20 Fourteenth-street, New-York.

This very able work elucidates the doctrine of water-cure as devised by Priesnitz, in opposition to the old practice of medicine. The water-cure has certainly made great progress in Germany and England, and is coming into more extensive use in the United States. The general principle seems to be that cold water, properly applied outwardly and inwardly, is the only radical cure for all the diseases to which the human race is liable. The water is supposed to act by its fluidity inwardly, and by its coldness outwardly. The term "cold" is applied to temperature under 55 degrees; Fahrenheit, between 55 and 77; tepid, over 100, warm; but water of a temperature higher than 77 is never employed. This is the means of cure, based on the theory that natural instinct in human beings as well as in animals, is unerring in pointing out what is beneficial and that which is injurious to the body. Hence every thing disagreeable to the taste, in the natural state, is contrary to nature, which is always at work to rid the body of all humors and foreign matters that are injurious to its well-being. These effects of nature develope themselves in the form of a large class of fevers and diseases, which are denominated "healing diseases," because they are the efforts of nature to heal. The object of doctors, after the old plan, is to suppress these efforts of nature by administering poisons, called medicines. These weaken and retard the healing efforts of nature, produce an apparent cure, when they have only perpetuated the disease, ultimately to show itself in a "secondary" form. The operation of the water-cure is the reverse of this. By large draughts, and outward continued application, all the bad humors in the body are set in commotion—fever ensues, and acrid discharges of various secretions take place, until the body, being entirely relieved of them, the patient is fully restored to health. This fever and its attendants always indicates successful treatment, and it is called "the crisis." Sores and boils break out on the body, which

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discharge the acrid matter that has been the remote cause of the disease; and it is stated that medicine, taken sometimes twenty years previously, and been laying dormant in the body, makes its exit apparent by the taste of the patient and the smell of the attendant. All these medicines, or "poisons," are supposed to remain dormant in the system, as the virus of certain diseases is well known to be for almost any length of time. The water-cure operates by turning *chronic* diseases into *acute*, which latter are but the action of nature in effecting its own cure. We have but very roughly sketched the theory, which is highly attractive from its apparent soundness, apart from the support it receives from the success of its practice.

THE PHILOSOPHY OF LIFE AND PHILOSOPHY OF LANGUAGE, in a Course of Lectures. By Frederick Von Schlegel. Translated from the German, by the Rev. A. J. W. Morrison, A. M. Harper Brothers, New-York.

This great work of the eminent German Professor has acquired a wide celebrity, for its attractive and instructive matter. It enlarges the ideas, strengthens the conceptions, and infuses into the mind a thirst for knowledge. It should be in the hands of every one.

The Life of Gen. Andrew Jackson, Seventh President of the United States; with an Appendix, containing the most important of his State Papers. By JOHN S. JENKINS, A. M., author of Political History of New-York, &c., 3d edition. Derby & Hewson, Buffalo, New-York.

As time rolls swiftly on, and the administration of the venerable Jackson gets fairly behind us: as the asperities of party strife become cooled, and partizan rancour directed to new men, the bold character and great deeds of the hero stand out in bolder relief, impressing the mind with the greater force that his clear sighted policy has been so fully justified in subsequent events. If we contrast the events attending the last battle of the late war with those which marked the first, we become struck with the influence which a vigorous mind exerts over the destiny of a nation. Hull opened the war with 2500 men, when he surrendered to 600 Canadians and as many savages, without firing a gun. Jackson arrived at New Orleans when 80 sail of British vessels, with 11,000 sailors and marines were landing; 11,000 of the choicest English troops; men fresh from the Peninsula, where they had conquered the legions of France, and they were led by four of the ablest British generals. Jackson, amidst a city of spies and traitors, had 3,000 militia. He thought only of capturing the English army however. The city authorities would not aid him, and he declared martial law, fortified the city, and with his handful of men gave the British the bloodiest repulse they ever sustained. Such are the results of capacity to command as contrasted with inability. The clearsighted, prompt decision and terrible energy of that able leader marked his course as a statesman; and the singleness of purpose with which he steadily pursued his country's interest, has won for him an undying fame in the national history.

Revolutionary Services and Civil Life of Gen. William Hull: Prepared from his manuscripts. By his daughter, MRS. MARIA CAMPBELL. Together with the History of the Campaign of 1812, and surrender of the Port of Detroit. By his grandson, JAMES FREEMAN CLARK. D. Appleton & Co., 200 Broadway.

It is natural the family of Gen. William Hull should endeavor to free the memory of that once deserving officer from the foul stain that the closing act of his military life has fastened forever upon his name. When the consequences of the dishonour of our arms at Detroit have passed away, and other men have wiped away the blot and won honor to our flag, the public are certainly disposed to look kindly upon the eminent services of Col. William Hull in the revolutionary struggle; and it is upon that portion of his life alone that his descendants should be desirous of fixing the mind of posterity. As far as those events are concerned, the first part of the volume before us does credit to its fair authoress, and is a valuable addition to our historical lore. All the actors in the great drama of independence deserved well of their country. It is most unfortunate both for the nation and Gen. Hull that his public life did not terminate before advancing age deprived him of, according to the greatest captain of any age, the first requisite of a commander, youth. We should then not have earned the ridicule of a gazing world by surrendering the first army sent into the field to inferior numbers without striking a blow, and his grandson would have been spared the ungracious and up hill task of endeavoring to palliate or justify an almost unparalleled disgrace to our arms. The justification seems to be based mostly on political grounds, and supported by the weak assertion that Gen. Hull was sacrificed to the political necessities of the administration. When the late National Bank failed, its disaster was ascribed to conspiracy, until its utter rottenness closed the mouths of its most unscrupulous advocates. The zealous grandson, however, goes further, and attempts to claim merit for Gen. Hull for surrendering the army with which he was intrusted, to inferior numbers, in order to spare the useless effusion of blood in fight-

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ing what he is pleased to call a "useless battle," a capital argument for a philanthropist of the nonresistant school, but very silly for a soldier. A battle is a great thing, and should [illegible] Unfortunately for

[illegible]

[illegible] llowing for the author's profession and English peculiarities. It will be found [illegible] nteresting in the details of such social customs as the author had an opportunity to [illegible]

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THE

UNITED STATES MAGAZINE,

AND

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THE ELECTIVE FRANCHISE.

INASMUCH as that all governments, of whatsoever nature, must be administered by persons selected from the mass, to perform certain duties, supposed to be for the common benefit of the community in which they live, so must those persons be rewarded for the services they render by support, more or less sufficient, ample or munificent, according to the time and talents necessary for their discharge. These persons form always a corps of common interest, which is constantly striving to increase the term of office, make it more secure, and enhance its emoluments at the expense of the people. They are, in fact, from the highest to the lowest, the servants of the people, and as such, occupy positions necessarily beneath the rank of independent freemen, and of right ought to be considered, in accepting office, as having derogated from the rank of an independent republican. They may, it is true, earn distinction by the faithful discharge of their duties, as a head-waiter is respectable when he fulfils his duties, but cannot, fairly, under any circumstances, arrogate to themselves superiority over their employers. In monarchial countries, where the sovereign is the source of all power, and also regarded as the fountain of honor, he appoints persons to rule the people, and delegates to them various gradations of power. The lowest of them, in institutions where the sovereign is the state and the people nobody, is, of course, of rank superior to the people, and is looked up to by them; but the highest is nevertheless lower than the sovereign whom he serves, and from whose hand he receives both office and its perquisites. In a republic, like ours, the reverse of this state of things is supposed to exist. The people are the sovereign, the source of power and the fountain of honor. When a person steps out of their ranks, where he has been engaged in promoting the general welfare, by accumulating individual wealth through his industry and skill in the pursuit of happiness, relinquishes his position and condescends to serve his fellow-citizens, he has not become greater than those whom he serves, but should rank below them in the social scale. One great reason why the offices of government here have been looked to as both honorable and profitable, has been that the principles of our institutions have been imperfectly carried out. Our officers are

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theoretically elected by the people, but for the most part these have contented themselves with electing a chief-magistrate, and delegating to him regal authority, in the right to appoint and pay numberless officers to act under him, all of whom look to him as the source of honor and profit, and seek to strengthen his position and supposed rights, in contravention of the free exercise of the popular will. The consequence is, that he centres in himself a patronage which creates in the bosom of the community a political interest antagonistic to that of the people. In proportion as the number and emoluments of these officers holding from the chief-magistrate are more or less considerable, will the government be more or less "centralized," and the means of thwarting or perverting a true expression of the popular will be more efficient. To allow of a great executive patronage is to establish a kind of feudal system. In the earlier stages of that system a successful warrior divided among his armed followers the lands of the conquered, which were held at his pleasure, the occupant being liable to military service when called on. Of precisely the same tenure is the holding of office at the present day. The successful candidate divides the offices among his political followers, who are liable to political service when called on. That incipient stage of feudality was, by the growing power of the incumbents, ultimately perfected into hereditary tenures; and there is no reason why emoluments acquired by the ballot-box should not strengthen the possessors, and enhance their pretensions equally with those acquired by the sword. The advancement of civilization has not changed the desires of mankind, although it may have modified the means by which they are to be gratified. In the countries of Europe under monarchial sway, the patronage of the government has latterly become the most, if not the only efficient means of sustaining the royal authority against the growing encroachments of the people; and this dependence upon patronage increases as the "legitimate," (as it is called in aristocratic parlance,) sway of the sovereign is weakened. Thus in Russia, where the power of the crown is absolute and undisputed, the "centralization" of the executive offices is loose. The under officers are less actively impressed with the vigilance of the appointing power, which has no occasion to make crown dependants feel the necessity of promoting the royalist cause. Hence corruption prevails to a most remarkable degree. The officers are appointed above the people, and not being held strictly accountable, are to the last degree corrupt; justice is notoriously sold to the highest bidder, and the bribes of revenue officers is supposed to exceed the amount collected. In Prussia, a country as destitute of representation as is Russia, the power of the crown is absolute, but it exists among a thinking, intelligent, and industrious people, who hold absolutism on its good behavior; and the administration of the law, as well as most functions of the government, are honestly and faithfully performed—perhaps more so than in any other country of Europe. It is to be remarked, however, that the power of the crown has gradually been surrounded, through ministerial influence, with such checks, as that promotion from nepotism and back-door influence are nearly impossible. Those checks consist in the regulations by which appointments and promotions in all the offices are invariably made. The examination of candidates for promotion is divided into 15 general heads,*

* The general heads of examination are as follows: 1 Description of the individual. 2. Particulars of birth. 3. Education 4. Former public service. 5. Particulars respecting his present service and condition. 6. Particulars respecting property. 7. Particulars respecting family. 8. Mode of life. 9. Physical constitution. 10. Character. 11. Knowledge of the world. 12. Abilities. 13. Accomplishments. 14. Results of his official management. 15. Recommendations.

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each of which is subdivided into almost numberless questions, all of which must be satisfactorily answered. It is sometimes the case that the king breaks through these checks, and places a favorite in office in disregard of them. He does this at his peril, however, because the whole official body make common cause against the innovation. The body of officers holding from the king are a means of his strength, but they are also strong in resisting him when he encroaches on their interests. In an absolute government, in a progressive age, this organization of official power is wise; and in a country where there is no free press, is a valuable bulwark against official injustice. In England, all offices are in the gift of the nobility; and until the Reform Bill, without the patronage of a noble, no man of unknown parentage could enter Parliament, or force his way to office, but through the pocket-borough of a peer. Executive patronage was but a system of nepotism, which, from time immemorial, has first provided for all the junior branches of a noble family, and the private secretary and family solicitor following in regular succession. These three enumerated governments are well-established, with well-affected people, present no immediate danger of revolutions. In England, the general system has been preserved from attack by conferring offices and pensions, as well upon all members of the opposition as upon supporters of the ministry. France presents a different state of things. There the sole support of the dynasty and the throne is official patronage. In 1830, revolution placed upon the throne a new king, with a liberal constitution, in accordance with which the country was to be governed. That constitution contained two fatal errors. It did not limit executive patronage, and it did limit the right of suffrage. These errors have entirely neutralized all its wise provisions, and enables the unscrupulous king, the offspring of the revolution, to centralize his power, and through the influence of official patronage, operating upon a limited number of electors, to rule with a sway as absolute as does the autocrat of Russia. France is divided into 86 departments, subdivided into 361 arrondissements, which are again divided into communes, of which the number is 38,096. Each commune has a mayor, and one or more assistants, appointed by the crown in towns of over 3,000 souls, and by the Prefect in smaller places. These mayors are accountable to the sub-Prefect, who presides over the arrondissement, and who, in his turn, is accountable to the Prefect of the department, who reports to the Minister of the Interior.

Through this machinery the commands of the minister promptly reach the village mayor, and none dispute them. There is a body called the Municipal Council, elected by communal electors, of whom there are ten of the highest taxed payers for every one hundred inhabitants; but this council has no right to discuss any but strictly local subjects, repairing roads, regulating streets, establishing a school, &c. When it is elected and wishes to meet for any other purpose, it must ask permission of the Prefect, who vetoes their proceedings, and dissolves them as a body at pleasure. Formerly they were wont to re-elect those dissolved by the government, but eight months after the installation of Louis Phillipe, a law was passed authorizing the king to suspend the municipal election altogether. The power of the crown is thus direct and certain to the heart of the smallest villages. It is, however, by a judicious combination of government patronage, with the right of suffrage, that the power of the crown is supported. After the peace of 1815, the Government of the Restoration were to meet a people on one hand who demanded representative government, and a Holy Alliance on the other, which having replaced the Bourbons on the throne, had denounced all representative government. The object then was to create a show of representation which should be entirely within the control of the

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court. It was discovered, that if by making it necessary to become a representative or a deputy, the candidate should be required to pay 1,000 francs taxes per annum, and be above forty years of age, the number of persons in France qualified to be elected would be reduced to 15,000; and further, by making a direct tax of 300 francs per annum, and thirty years of age the qualification for the right of suffrage, the number of votes would be under 80,000, and much under the number of offices at the disposal of the government. This plan worked well for some time, but toleration gained ground, and in 1826, Villèle proposed to add to the 80,000 electors the unpaid functionaries appointed by the king, notaries, attornies, doctors, and licentiates, &c., which swelled the government influence in the elections. When the revolution of July took place, the extension of the right of suffrage was supposed to be accomplished; but as the royalists were declared "the incapables," because with 500,000 offices at their disposal they could manage 80,000 electors, the new dynasty did not mean to earn the same title. The new king fully understood the power of corruption. Lafitte was the minister, and the resources at the disposal of the crown were 931,997 officials; of these 376,487 are paid $60,000,000 per annum, the remainder, pensions, &c., amounting to $15,000,000 per annum. The paid offices are about 500,000; with these it was easy to manage 80,000 electors. But the people, who had just placed the king on the throne, demanded reform, and the minister therefore proposed to *reduce* electoral qualifications from 300 to 200 francs taxes, and from 30 to 25 years, and those of a deputy from 1000 to 500 francs tax. This would have increased the number of electors to so much in proportion to the offices that the government majority could not be insured at the election, and this reform would still fall miserably short of popular expectation. Consequently, an old expedient was resorted to. The question of suffrage was referred to a committee, of whom Bérenger was head; this commission was not proof against the *influence* of the crown, and they reported 250 francs and 30 years as the qualifications of the electors. The ministry insisted upon 200 francs and 25 years; and thus, while actually cheating the people out of the extended suffrage, for which they had overthrown one dynasty and put up another, the ministry got credit for striving for the rights of the people. Under this law, out of 35,000,000 people, less than 200,000 enjoy the elective rights. It is to be remarked, however, that although the government has the power of buying all, it never buys more than a safe majority; and the impotent minority is pointed at as a proof that the government is not corrupt. Two hundred and thirty members form the absolute majority of the deputies, and 260 would be enough to buy. The court likes to be safe, and requires 300 out of 459. The total number of electors in 350 poor arrondissements is at most 100,000. Sixty thousand offices out of 500,000, at the disposal of the minister, gives him a majority of 20,000 votes in the electoral colleges, which he attains at an expenditure of but a small part of his resources. It is ascertained that at this moment more than two-thirds of the electors of France are directly dependent upon government for places. The deputies returned by these electors are not a very dangerous class to the government; very many of them possess scarcely more than the required qualifications, say $900 income per annum. On this they cannot live in Paris, and therefore carry on a traffic for government plunder. To these men the railway mania has been a vastly profitable operation, inasmuch as they receive a certain number of shares for their votes. Many also charge from $200 to $300 for appointments obtained through their influence. The late expose of the government corruption and consequent suicide of a minister, is but an instance of the existing state of

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things. The civil offices in France, amounting, as before stated, to 931,997 official personages dependent on the government, of whom 376,487 are paid, receiving 314,726,000 francs, ($62,000,000,) 13,660 unemployed officers receiving annuities, &c., to the amount of 9,638,000 francs, ($200,000,) and 104,460 pensioners, &c., receiving 72,967,000 francs, ($15,000,000,) form but one of three branches of the government patronage; a standing army of 400,000 men, the officers being appointed by the government, in addition to 70,000 retired on pensions, amounting to $8,000,000 per annum, is a second branch; a third is composed of the national debt, amounting to $78,000,000 per annum interest, all the recipients of which are adherents of the government, which has also taken possession of the savings banks, under pretence of "security," which means to secure the small depositors in the interests of the government. The government is also the general pawnbroker, and has sole control of all the hospitals and the attending surgeons.

This centralization, through government patronage, has destroyed the liberties of the French citizen. M. Guizot on a late occasion, as minister of the crown, made a brilliant speech upon the question of government corruption. He denied that corruption, properly speaking, exists at all, maintaining, that in the natural order of things, where the interests of certain classes and those of the government were the same, corruption could not be charged upon them for pursuing those interests. He admitted, that in some degree, the power of expenditure which the government possessed, attracted to its support all those who, under the limitations of the laws, possessed the faculty of political activity, a very small class in France. The same class in Great Britain is somewhat larger, there being about 800,000 entitled to vote, while the amount annually expended by the government is much less in proportion; that is to say, in Great Britain the annual expenditure, exclusive of the debt, is $95,000,000, and in France $75,000,000. In Great Britain, however, a powerful, wealthy and influential landed aristocracy holds a large portion of that patronage, which in France depends directly on the crown. The general interests of both crown and aristocracy in England are the same in respect to the people, on whose rights they are continually seeking to encroach.

In the United States universal suffrage has alone protected our institutions from the injurious influence of executive patronage, the interests of which has, nevertheless, at times been felt to be utterly incompatible with the free exercise of the elective franchise. The great fault of the French constitution of 1830, and which has destroyed its efficacy, was the fact that the patronage of the government bore too great a proportion to the right of suffrage. The glorious constitution of the United States committed the error of throwing into the hands of the Federal Government by far too great an amount of patronage; and had the various attempts which have been made to limit the right of suffrage been successful, there is but little doubt but at this time our institutions would have been so centralized, that the line of states' sovereignty would have become so indistinct as scarcely to have been distinguishable. The amount of patronage in the hands of the Federal Government is by far too great not to jeopardize the purity of the elective franchise, and the patronage seems now to be in process of rapid extension; while a recent administration has afforded an example to what an extent its corrupting influence may be carried at the polls. The number and emoluments of the Federal employees, it is true, bears no proportion to those of the European countries we have cited, but is nevertheless too large for the public good; including the post-office department, the number is about 35,000. The following will show

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the comparative patronage of the three governments of France, England, and the United States:

	Population.	No. of voters.	Civil list expense.	No. employees.	Army and Nav. exp.	Interest of debt.	Total expenditure.
France...	35,000,000	190,000	$92,310,620	931,997	$94,000,000	76,000 000	$262,310,620
England..	27,000,000	788,180	14,675,000	23,578	77,335,000	159,100,000	251,110,000
U. States..	20,000,000	2,400,000	6,044,399	35,000	20,426,709	1,408,344	27,879,452

The direct patronage of the Federal Government, it would seem from this comparison, is very insignificant, as compared with the other two countries named; but it will be remembered that, owing to the centralization of those governments, those local and municipal offices and expenses figure in the aggregate, which, in the United States, appear only in the returns of the State sovereignties. While, however, the patronage of the Federal Government is the reward of a successful party, that success carries with it not only the federal offices, but those of the several States also; because, to be successful in federal elections, it is necessary that the same party should triumph in the several States. The number of offices in the gift of state executives is about 60,000, making about 100,000 offices dependent upon elections, and for those offices experience has shown, that there will be an average of ten applicants for each, from either successful party. Hence, altogether there are 2,000,000 persons—a number nearly equal to that of the whole of the voters—to whom the hope of office is the stimulant to partizan activity, and whose political exertions in towns, cities, counties and states, constitute the merits on which they base their claims; and those claims have heretofore been adjudged in central committees and regencies with absolute and tyrannic sway.

The public have become accustomed to see all politicians alike dispose of place with a view to party objects or private interest; and the press has yet to discharge the duty of showing that whenever, and by whomsoever, such objects are made of primary consideration, and individual merit or aptitude for special duties entirely disregarded, the public interest is betrayed. It is not from the mere combined interest of this horde of office-seekers that the greatest evils result. They are but the machinery by which the Federal patronage, on a broader and more magnificent scale, is sought to promote the pecuniary interests of parties.

The great fertility of the soil of the United States, the enterprise and energy of the people, as well as their universal industry, assisted by the greatest improvements in science and arts, are elements of vast national wealth, far in advance of what any nation in the present, or of any former age of the world could present. As all these are elements of great national prosperity, so are they the elements of one of the most powerful nations that ever existed, if a central government should have the means of drawing any considerable portion of this wealth from the people by taxes, direct or indirect, and expending it upon particular classes or interests, which would thereby become the creatures and supports of the government, ready to sustain an ambitious executive in any attempt to extend the "area of power." To effect this object, there have been constant attempts made to construe the powers granted to Congress in the constitution, into the right to collect and squander money for other than the direct and legitimate objects of government. The leading scheme to extend the power of the Federal Government, and to make state, local, and private interests depend upon its patronage, may be thus enumerated:—1st, the fishing and salt bounties; 2d, the protective system; 3d, a national debt; 4th, a national bank; 5th, a system of internal improvements; 6th, assumption of the state debts; 7th, distribution of the public lands; 8th, to abolish postage, and make the post office dependent

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upon the treasury; 9th, to arrogate for Congress powers over new territories and new states that may be created, not granted to it by the Constitution. The first eight of these schemes were of a pecuniary nature to make the private pecuniary interests of individuals in all the States dependent upon the Federal Government. The fishing interests have drawn from the Federal Treasury, since the formation of the government, over $4,000,000 in direct bounties, being money collected from all other citizens, and paid over to them as a gift: a natural result has been that the recipients of those bounties are those who have prospered less than any other branch of navigation, and they loudly assert that they cannot exist without them. They are stipendiaries of the Federal Treasury. The manufacturing interest, which, as reported by the census of 1840, comprises 791,749 out of 4,798,870 active citizens, or 1-17th of the whole population, have long asserted that their interest depends entirely upon the patronage of the government. That unless that government maintains for them a high tariff mostly admitted to be a tax upon consumers, for the patriotic motive of supporting manufacturers too feeble to compete with foreigners, they must discontinue and become paupers. It was long contended by the friends of a strong government, that "a national debt was a national blessing," inasmuch as that every holder of national scrip was a bound adherent of the government which undertook to pay him by extracting the means to do it from his fellow citizens. A national bank was long clung to, as a most notable scheme for giving strength and consistency to the national government. In 1841, Mr. Clay proposed that Congress should establish a bank of $50,000,000 capital, of which Congress should subscribe one-half, and thus become the partner of at least 20,000 persons, who would subscribe the remainder, and this joint proprietary would become the money centre of at least 100,000 borrowers in all parts of the Union. The greatest scheme of all was, probably, that for internal improvements. This policy was commenced near a quarter of a century since, and grew steadily with increasing impetus until, in 1830, the demands upon Congress, for appropriations, reached $200,000,000, to be expended in all parts of the Union on the wildest schemes for personal emolument at the public expense. The policy was crushed by the Maysville road veto of President Jackson; but so deep a hold had the corrupting influence already produced upon the numberless contractors, providers, surveyors, land speculators, and stockjobbers, that nothing short of the great influence of Jackson was sufficient to crush it. The vetoed bill was reconsidered by a vote of yeas 96 to 92 nays, in the House, and yeas 21 to 17 nays, in the Senate, both votes showing a majority in favor, but not sufficient to overrule the veto. The national treasury being thus relieved of the burden of local improvements, these were taken up by the states, the debts of which, for the construction of public works, speedily swelled to over $200,000,000, and stopped only by loss of credit. The holders of those stocks then made the most vigorous attempts to have them assumed by the Federal Government, because, as it was expressed in the circular of the Messrs. Barings, of London, it was "necessary to have a more comprehensive guarantee" than state faith for the payment of the debts. Failing in this, the distribution of the public lands was contended for. On that plan, the machinery of the land office was to remain in the hands of the Federal Government, and the money so collected paid out to states. The question of post-office reform was also seized upon to extend the influence of the government, as explained in our last number, in a review of the report of the Post-Master General—it was sought to continue the lavish expenditure

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among some 3000 contractors, and to throw the whole expense upon the federal treasury without seeking to reform abuses. All these plans formed parts of a great whole, the direct tendency of which was to consolidate the governments, and centralize the powers of all the states in the hands of the federal executive. In order to estimate the power which would thus have been created, had all these schemes been carried out, we may recapitulate the number of persons interested, and the debt which would have been created, as follows:

	Number dependent upon Federal Government.		Debt necessary.
U. S. National Bank	120,000	Stock holders and borrowers	$25,000,000
Internal Improvements	250,000	Contractors, land-jobbers, &c.	500,000,000
Debts assumed from States	50,000	Stockholders and jobbers	75,000,000
Distribution of land revenues	10,000	Land ag'ts and disbursing officers	40,000,000
Post-office expenses	19,000	Post-masters and contractors	20,000,000
Protective system	791,749	Manufacturers	40,000,000
Fishing bounties	10,000	Cod and mackeral catchers	4,000,000
Total	1,250,749	Total	$704,000,000

There is a moderate computation of the patronage which would have resulted from the passage of the Maysville road bill instead of its veto, and the adoption of the other measures proposed. The amount demanded from the Federal Government for internal improvements in 1830, was about $200,000,000; had the policy been adopted by the Federal Government, that amount would have been expended by it instead of by the states, and it would have been increased by an amount as much greater as the credit of the Federal Government exceeded that of individual states, and we have estimated it at $500,000,000. Then would there have been some $75,000,000 expended by some of the states for banks, &c., to be assumed. The distribution of the public land revenue would have been about $4,000,000 per annum—the post-office expenses would have been $3,500,000 per annum, and an ultra high tariff would have diminished the revenues at least $4,000,000 per annum. Inasmuch as the revenues have not exceeded the current expenses, the amount of debt would have been increased, by all these figures, to a sum making over $700,000,000, bearing over $42,000,000 interest per annum, on the expenditure of which, one and a quarter millions of people would have been dependent. It is to be observed that this $700,000,000 would have been borrowed, and the lenders would have swollen the government adherents by at least 200,000 more persons. This picture is no idle conjecture; it is what we have barely escaped by two executive vetoes against majorities of Congress, produced by the corruption of patronage. Had this mass of patronage been now in existence, what would have stayed the progress of centralization? The actual officers holding from the executive, are, as we have said; but the machinery through which these different patronage-seeking interests act upon the elections. The campaign of 1840 is a singular instance of the successful combination of these interests. The chief schemes that led that election were, tariff, national bank, distribution and assumption of state debts. All these interests acting with 800,000 office seekers, and most efficiently aided by the 34,000 bankrupts who subsequently took advantage of the bankrupt law then clamored for, carried the election. The debts of those bankrupts amounted to $440,934,615.

When we consider the origin of our present form of government, we become singularly struck with the danger which would have resulted to its permanence if the above mass of patronage had been created. The

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Federal Constitution is the offspring of a convention of delegates from the several states. That convention, with much caution and jealousy, delegated certain specified powers to Congress, reserving the infinity of sovereign authority to the several states. From that moment, as we have seen, the strife has been continually to give a latitudinarian construction to the powers delegated to Congress. If those constructions had prevailed, and an immense debt, with numberless stipendiary interests depending on the Federal Government, all chafing against the restraints of the Constitution were in being, a new convention would doubtless be called, and what would be the results of such a convention?

As the present Constitution was framed by a convention which represented the several states, a like extraordinary convention may alter or annul it at their pleasure. The aggregate of the several states, as represented by such convention, is, therefore, sovereign throughout the Union. The Federal Government, which is its creature and minister, and the states' governments, whose powers it can modify at its pleasure, are equally subordinate to it. A convention growing out of interests, all formed under the influence of a central government, would naturally feel a desire to strengthen that government, and would doubtless proceed by taking from the states all but specified powers, and endowing the Federal Government with the infinite residue, thus giving it a character of absolute sovereignty, which would easily be perpetuated through its improved strength, by taking from it its constituent character as dependent upon a convention of delegates to alter or abridge it. The rapid and obvious tendency to such results is manifest in the fact that the veto of the National Bank Bill, in 1841, drew from Mr. Clay a denunciation of the veto power; and the abolition of this power was made one of the issues at the election of 1844. The new attempt to arrogate for Congress the power of laying new states, on their admission into the Union, under disabilities which do not appertain to the old states, is a bold and singular position for any party to assume, and belongs peculiarly to that class of projects meant to raise the supremacy of the Federal Government. Congress, under the Constitution, is entirely without the power to interfere with the domestic concerns of any persons, either in states or territories. The attempts to force such a construction upon the powers of Congress is a singular indication of the recklessness of political aspirants. To insist that Congress shall prohibit in new territory an institution that it tolerates in the District of Columbia, savors little of that principle of equal laws which has been the pride of Americans.

The great and manifest evils which have sprung from the executive power to appoint to office, has been productive of a salutary reform in the state of New-York, where the election of officers has been restored to the people, and the state-power decentralized. Instead of being appointed by chief authorities to rule over the people, the following state officers are now elected by the people, and hold office each directly from his individual constituents:—Secretary of State, Comptroller, Treasurer, Attorney General, Surveyors, Canal Commissioners, State Prison Inspectors, eight Judges of Appeal, thirty-two Supreme Judges, Judges of County Courts, Clerks and Judicial Officers. Heretofore there have been three classes of officers in each state. 1st. Those chosen by the people. 2d. Those appointed by state authorities; and 3d. Those appointed by the federal authorities. It is now desirable that these three classes should be reduced to one, and be all chosen by the people. The Custom-House Officers, Land-Officers, Post-Masters, District Judges, Marshals and Attorneys, should all be chosen by the localities where their services are

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required—the federal executive having the right of suspending, for sufficient cause, until another election. In such a state of affairs, the infamous scenes that have in past times resulted from presidential elections would spare the blushes of the patriotic citizen, and the public business be conducted all the better for it.

THE MEXICAN WAR—ITS ORIGIN, ITS JUSTICE AND ITS CONSEQUENCES.

(CONCLUDED.)—THE BOUNDARY OF TEXAS DISCUSSED.

In discussing this question it must be premised, that it assumes as conceded, that neither the acknowledgment of Texan independence, nor the annexation of Texas, was wrongful, or furnished any just cause for Mexico to commence war against the United States; and that Texas was *de facto et de jure* an independent state; for if these three points be decided against the United States, Mexico stands justified before the world for her course in the whole Texan controversy,—the march of the United States army to Corpus Christi, was as much an act of war as the march to the Rio Grande, and the act in question would be entirely *immaterial.*

Assuming, then, the *rightful* independence of Texas as a state or nation, what was its western limit? 1st. Had it any limits? 2d. If it had, were they the Nueces or the Rio Grande? 3d. If it had no limits, had it a right, under the circumstances, to fix them and take possession according to its own will, and its own power? 4th. If it had not the latter right, was it justified by the law of nations in advancing its army to the Rio Grande, in consequence of the hostile or threatening position and conduct of Mexico?

None will deny that the *rights* of the United States in this respect were precisely the same after the annexation, as those of Texas before. More might be expected from the magnanimity of the one which was strong, than the other which was weak; but, as respected a strict justification of acts towards Mexico, both stood just alike. Regarding the annexation as peaceful, and *not* changing the relations between the United States and Mexico, it must also be considered that no war existed between Texas and Mexico, for if war did exist between the two, then, the annexation itself, being a union with one of two belligerents, was an act of war, and this question of boundary would not arise. If war did exist, and no boundary had ever been settled, it was the undoubted right of either to take possession as far as it could, and fix its boundary whenever it pleased, until the other should be disposed to enter into a just treaty to establish one.

Had Texas, as admitted into the United States, any western limits, and if so, what were they? Had it "*a local habitation,*" as well as "a name?"

The same Congress which declared its independence, in March 1836, declared the Rio Grande the boundary from its mouth to its source. That this was the setting up of a new state from part of an old one; that it was just as rightful to declare the independence and jurisdiction to extend to the Rio Grande as to any other line not actually occupied by those who declared it; that it was just as good a title to the country up to that line as to any other part of it, can hardly be denied. As to any settlement or portion of

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the people within the limits specified who did not join the new state, it is said that this declaration amounted to nothing, and left the jurisdiction of Mexico unimpaired; and that those on the left bank of the Rio Grande which remained under the laws and jurisdiction of Mexico, continued *rightfully* to belong to the latter. Suppose that the inhabitants along the west bank of the Sabine had chosen not to participate in the new organization, and never displaced the Mexican authorities, while all the residue of the country did; it might with equal propriety be said, that the declaration and subsequent achievement of independence would have given Texas no right to the Sabine as an eastern boundary; and so as to any small portion of the inhabitants of the country declared independent. Where a new nation is established in an extensive country, it may often happen that particular towns, villages or districts embraced within it, may stand out and not submit to the authority of the new government for a long time after the great mass of the inhabitants have formed and consolidated their national institutions and laws; and still the rightful jurisdiction of such government may be complete over the whole territory. The consent of all the people of a territory is not necessary to the declaration or achievement of its independence. The smaller number must submit to the greater.

Now, if there never had been any civil divisions or civil government in the Territory thus declared independent under the name of Texas, and there had been no nation contiguous, can there be any doubt that the inhabitants on the easterly bank of the Rio Grande would have rightfully belonged and appertained to the nation, after its independence was fully established?

"The country which a nation inhabits, whether that nation has emigrated thither in a body, or the different families of which it consists were previously scattered over the country, and then uniting, formed themselves into a society—that country, I say, is the settlement of the nation, and it has a peculiar and exclusive right to it."—(*Vattel's Law of Nations*, Book I., chap. xviii., § 203.)

But it will be said the inhabitants on the east bank of the Rio Grande were contiguous to Mexico, the nation to whom they formerly owed allegiance, and never took part in the Texas revolution, but always adhered to Mexico, their former country. If this fact were well established, and there was no particular reason for establishing the boundary which would include people so situated in the new state, there would be great force in this argument. It will be necessary, therefore, to consider what grounds the new nation had to declare this particular boundary, and whether the country such nation inhabits extends to such boundary within the rules acknowledged by the laws of nations on that point, as well as the evidence of the jurisdiction which Mexico ever exercised over such inhabitants. It is said that a declaration or claim does not make a title to a country never possessed by those who make it, and in many senses this is true; but if such declaration and claim are not items of evidence and important links in the chain of title, few states have any title at all to their wild lands.

"All mankind have an equal right to things which have not fallen into the possession of any one: and those things belong to the person who first takes possession of them. When, therefore, a nation finds a country uninhabited and without an owner, it may lawfully take possession of it, and after it has sufficiently made known its will in this respect, it cannot be deprived of it by another nation."—(*Vattel's Law of Nations*, Book I., chap. xviii., § 204.)

The author adds, however, that nations will not acknowledge mere

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claims unsupported by any actual possession or use, and in this he is correct. But when there is an actual possession of a small part of an extensive and unexplored country, the question how far a claim of jurisdiction over the wilderness beyond the actual settlements confers title as against other nations, is never free from difficulty, and must depend upon the peculiar circumstances of each particular case. (That the claim of Mexico to the immense territory between its actual settlement and the southern limits of the United States may be justly doubted on principles of natural law, is admitted by Mr. Gallatin, in his recent pamphlet, entitled "Peace with Mexico," at page 32, in spite of his predilection for the Mexican side of every question he discusses.) At least it must be admitted that claims are good as against other claims, and natural objects, such as rivers and mountains, are entitled to very great consideration in determining the reasonableness and justice of a claim founded on actual possession of contiguous territory. Let these principles be applied in fairness and candor to the boundary in question.

That Texas was embraced within Louisiana, as ceded by France to the United States in 1803, is now admitted by Henry Clay, in his recent Lexington speech; was maintained by Mr. Monroe and Pinckney, in 1805, and by Mr. Monroe's administration, in 1818, and is hardly disputed by any one. That it was first taken possession of by the French, under La Salle, is indisputable; and that Spain took the whole of Texas, up to the Rio Grande, under the treaty with the United States, in 1819, is equally certain. When the Texans, therefore, in 1835, undertook to form themselves into a new nation, in consequence of the annihilation of the Constitutional Government of the Mexican States, of one of which they had been part, they had some color of right to claim that the Texas which they inhabited extended to the Rio Grande. It was only sixteen years since the country was ceded, not to Mexico, but to Spain. During that period Mexico had established her independence of Spain; but it would be more difficult to show that any part of Texas participated in the Revolution, than that the inhabitants on the left bank of the Rio Grande did in that of Texas.

The people of Texas raised their standard of independence, and the Dictator of Mexico flew with his army to reduce them to subjection. In March, 1836, the independence of Texas to the Rio Grande was declared; in April, the army of Santa Anna was conquered, and he himself captured; in May following, Santa Anna acknowledged the independence of Texas, as declared, upon which he was released and his army allowed to recross the Rio Grande. It is said this acknowledgment amounted to nothing, because Santa Anna was a prisoner of war. As against a Constitutional Republican Government, it might not be binding; but, as he was himself Prince and Dictator of the nation, he owned the nation in his own right as much as any absolute sovereign in Europe. Can any one dispute the power of such a sovereign to yield up his whole kingdom as conquered, to redeem his own life and liberty? His power to yield a part of his territory is as clear as his right to exchange prisoners, or give any other equivalent for his liberation. In 1837, the United States acknowledged the independence so declared, which, of course, included the asserted boundary. Other nations followed the example. Texas extended her laws over the country to the Rio Grande, erected counties, &c., &c., and constantly asserted her title to the whole country between the Nueces and Rio Grande, granting empresario contracts, including the left bank of the Rio Grande. Mexico permitted this state of things to continue for eight years, without an act of hostility against Texas, ex-

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cept the capture of a party of Texans on the west side of the Rio Grande, and another at Santa Fe, and a single incursion into Texas, which was repelled, though it must be confessed, not without protests, proclamations and pronunciamentos enough to convince the world, if not that they intended to re-conquer Texas, certainly that a Mexican threat meant nothing at all.

During all this time, Mexico had never declared the acknowledgment of the independence of Texas by the United States, as an act of hostility towards her, nor as altering the friendly relations between the two countries. On the contrary, in April, 1839, she entered into a convention with the United States for the satisfaction of claims of citizens of the United States against Mexico; and in January, 1843, she procured from the United States a friendly extension of the time for complying with her former stipulations. When she entered into these friendly conventions with the United States, she knew full well that the latter was bound by her very acknowledgment of the independence of Texas as a state, with limits declared by law to extend to the Rio Grande, to treat Texas, and not Mexico, as the rightful claimants of jurisdiction and territory up to that boundary. A war puts an end to all treaties, and a treaty also puts an end to all prior causes of war. Mexico was thus estopped by her own act from complaining of the recognition by the United States of Texas to the Rio Grande. During all this time Mexico permitted the actual independence of Texas, and never made a pretence that the boundary was wrong, or that she had any better claim to the country between the Nueces and the Rio Grande, than any other part of Texas. She went for the "whole or none," until after the passage of the annexation resolutions by the United States Congress. After that she sought to get up a better issue upon which to pick a quarrel with the United States than the naked question of annexation, and offered to acknowledge Texas, with the Nueces as a boundary, on conditions, &c. This is the first that is heard from Mexico about this boundary.

If it is said that Texas had no actual possession of the country in dispute, it may be answered, that Mexico had very little of any more claim to actual possession than Texas. True, inhabitants of Mexico, under the Federal Constitution, were in possession of several small places on the left bank of the Rio Grande, and had some scattering settlements along that shore; but it is equally true that Texas had towns and settlements on the right bank of the Nueces; and so, as between the two, neither the scattering settlements of one or the other, for a few miles along the bank of either river, could give either country a title by possession to the immense tract of land between the two rivers.

It is said that Texan independence extended no farther than actual Texan occupation; and as Texas was a fragment broken off from the Mexican nation, all the territory not actually possessed by Texas belonged to its former owner, Mexico. This looks very plausible, and may be correct as to whole or considerable districts of inhabited country, whose inhabitants adhered to the remnant of Mexico, or who asserted their own independence. The Texan revolution, had there been no other cause, would of itself have been a dismemberment of the Mexican nation, and so the Mexicans have always regarded it; but without that, the abrogation of the Constitution by a military Dictator, had the same effect. The integrity of the nation was broken —its entirety gone—the former Mexico had ceased to exist, and with it had ceased the title which the entire nation had to the eminent domain of all its unsettled lands. If Texas could claim and hold only to the extent of its actual settlement, all the other states were in the same predicament; and after each state had its limits assigned to it, seven-eighths of the Mexico that

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was would have remained without an owner. On the dissolution of the Union, Texas, or any other portion of it, had just as good a right to a portion of the vacant lands as against all or several of the parts which remained when reunited under another government, as it would have had, as against the residue of Mexico, had each state or district set up for itself. By the revolution, therefore, Texas had not lost its right and interest in the immence domains of the Mexican confederacy. It had, then, a right to fix for itself a reasonable and natural boundary, including contiguous vacant territory; and was not bound to stop short of a strip from 150 to 250 miles wide, immediately contiguous and unoccupied, because the next convenient natural and reasonable boundary would include some few people who had belonged to other states or settlements in the Mexico that *was*, who had not united with them in their new organization of a state, especially when such a boundary was a great river, extending the whole length of the state, and was the ancient boundary of the country in which the new state was erected. From the very nature of the case, no new state could ever be formed from a dismembered nation or community, if it were necessary to procure the assent of all the people within the proposed limits.

"In cases of doubt, every territory terminating on a river, is presumed to have no other boundary than the river itself, because nothing is more natural than to take a river for a boundary, when a settlement is made; and whenever there is a doubt, that is always to be presumed which is most natural and probable."—*Vattel's Law of Nations*, Book I, chap. xxii., § 267.

"The whole space over which a nation extends its government, becomes the seat of its jurisdiction, and is called its territory."—*Ib.* Book I, chap. xviii., § 205.

[Texas for ten years maintained a regular government, making and executing its laws, and was acknowledged and respected by the principal nations of the world.] During all that time, there was no insurrection or revolt against the authority of such government and laws. The Mexicans had once penetrated Texas as far as San Antonio in 1842, and the Texans had once made an expedition to Santa Fe, and once across the Rio Grande to Mier, but both incursions were soon repelled. Santa Fe, Loredo, and perhaps some other little places had their alcaldes, and perhaps some other offices which were inseparable from any idea of civil society in the minds of all the Spanish race, and were of their own choosing. A marauding party of hungry soldiers of the government of Mexico occasionally quartered upon these settlements, and by such parties the Mier and Santa Fe prisoners were captured. Whatever of laws and government the people had, they brought from Spain; and as they never submitted to any authority, except that of their priests, it was of little consequence to them, that jurisdiction over them was asserted by France previously to 1803, the United States from that time to 1819, by Spain always, (for Spain did not concede the title of the French nor of the United States,) by Iturbide as emperor of Mexico, from 1820 to 1822, by the Mexican United States from 1824 till the Constitution and Confederation were overturned by a Military Dictator, and every successive chief of Mexican banditti, called the army, ever since. Did either any or all of these claims give any right or claim of jurisdiction over the extensive country in question, superior, or even equal to that of the government of Texas?

This argument extends to all the territory east of the Rio Grande. To a portion of that territory the Texans had even a better claim. As members of the State of Coahuila and Texas, which adopted a Constitution in 1827—as *one* consolidated state, and not a federation of two states, they

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had a right and interest in all the unappropriated lands within that state, which extended not only to, but far west of the Rio Grande. Has any body heard of the State of Coahuila and Texas since the revolution of 1835? Has there ever been any State of Coahuila? No; there never was any such state. Under the consolidated government of Mexico, Coahuila and Tamaulipas were declared Departments of the nation, and submitted to it as often as an army came along and overawed them, but always resisted when they could. What became of the rightful title of the State of Coahuila and Texas to the eminent domain of their lands? Had any people a better claim to it than the Texans? They were the only state which continued, and might have claimed to succeed to the whole territory of which they were before lawfully seized. They, however, relinquished all beyond the Rio Grande, and distinctly claimed the residue as part of their domains. When they had the power, did they lack the right to maintain their declaration?

Mr. Gallatin, in his recent pamphlet, says: "That the idea of this river being the boundary is preposterous; because it would include a large portion of New Mexico, and the charter of Louisiana was expressly bounded on this province." It is not perceived how this could show *where* the boundary of the province was, or that it was *not* on the river. So this proves nothing, except that the two territories joined each other. As to the lower Rio Grande, Mr. Gallatin says: "The whole contested territory lies within the limits of Tamaulipus, which never was under the Mexican Government connected in any shape with Texas." And again he says: "Texas and Coahuila were declared to form a state; and the River Neuces was made the boundary of Texas. When Texas declared herself independent, it was the insurrection of only part of a state; for Coahuila remained united to Mexico." What a mixture of mistaken facts and misapplied principles are here presented! We cannot find that the Nueces ever was made a boundary at all, in any act of Mexico, previously to the revolution in Texas. And if it was ever made the limits of the Spanish Province of Texas, the evidence of it has escaped observation, after a somewhat diligent research. When the Spanish settlements were made in the wilderness, there was not much inquiry about boundaries, as the world was very large in those regions, and Spain claimed the whole, lands, seas, and islands, with everything annexed. In Thompson's General Atlas, published at Edinburgh, in 1817, the Nueces is not designated as a boundary of anything. In a pamphlet, published by Asahel Longworthy, in 1832, and written in 1831, giving the constitutions of Mexico, and Coahuila and Texas—a history of the land-laws, and description of the lands in Texas, he says, pp. 40 and 41: "The writer of this has travelled across Texas from the Rio del Norte to the Sabine." * * * * After speaking of Matamoras, he adds: "The soil of that part of Texas between the Rio del Norte and the Neuces, to the distance of fifty or sixty miles towards the interior, is of good quality, but greatly deficient in timber and good water." * * * "The lands south and adjoining the Nueces are rich valleys, prairies, &c." How could this traveller, a settler in Texas, have written thus, if the State of Tamaulipas then claimed title to the Nueces? In the early settlement of Texas, the French and Spaniards fought one another from Natchitoches to Goliad; but it never occurred to them that the United States and Mexico would ever quarrel about the Nueces as a boundary, and therefore they took no notice of that line. Previous to the independence of Mexico, there were hardly inhabitants enough in all Texas to attract the attention of the government, or require the fixing of any limits. When the

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State of Coahuila and Texas was formed, it was declared to be one and inseparable; and to prevent all idea of disunion, or division into different states, a name was adopted, signifying inhabitants of the state, embracing both names, (Coahuitejanos and Coawheetahanos,) inhabitants of Coahuila and Texas. For the purpose of conveniently administering the government, the state was divided, not into two parts, Coahuila and Texas, but three districts—Bexar, corresponding to the former Province of Texas—Saltillo Rio Grande, and Monclova—the boundaries of neither of which are specified at all. And it was expressly declared, that the State "consists of the union of all its inhabitants."—(*Constitution of* 1827. *Preliminary Sections*, 1*st and* 7*th.*)

The Nueces is not mentioned in the Constitution; but as most the Texan settlements of that day were far east of that river, it has been recently assumed by some as the western limit of the province. It is also proper here to observe, that when this Constitution was adopted, the limits of the state itself were not fixed with reference to other states; but it was provided that they should be fixed by a constitutional law.—(*Preliminary Dispositions*, § 6.) The same was undoubtedly the case with Tamaulipas. Down to the subversion of the Federal Constitution these limits were never fixed. The state could not, therefore, have been bounded by the Nueces towards Tamaulipas.

The next mistake of fact is as to the revolution of Texas being an insurrection of part of a state, and Coahuila remaining annexed to Mexico. In 1834, when Santa Anna submitted the Federal Constitution, the legislature of the state was divided into two parties, one for Santa Anna and the other for the Constitution; and two distinct organizations were got up, one at Monclova and one at Saltillo. The latter annulled the decrees of the legislature from the time of its election in 1833, and in conjunction with the military, proclaimed a military governor. Afterwards the difference was adjusted, and in March, 1835, a Legislature of the whole state assembled at Monclova, and a governor having been chosen, entered upon the duties of his office. The Texan members were in favor of forming a new state, which was opposed by the others; but a majority of both parties united in presenting to the Mexican Congress a protest against the arbitrary acts of Santa Anna.

Santa Anna immediately sent General Cos to enforce submission to his usurpation. The military party again organized in Saltillo. The governor called out the militia, but they failed to rally. He fled—was taken prisoner, and escaped. The state authorities were deposed by the decrees of the Mexican Congress dictated by Santa Anna, and the refractory members of the legislature, who remained in Coahuila, were arrested by military orders, imprisoned, and finally banished.—(*Wilson's American History, pp.* 640, 641.)

Thus was the state annihilated before the Texas revolution commenced. The State of Coahuila is a creature of imagination. Part of the state was subdued by the forces of Santa Anna, and may since have formed a department of the so called Mexican nation. There was, therefore, in the Texan revolution, no insurrection of part of a state, like one or more counties or districts, in their political capacity asserting their independence; but the former state was crushed and annihilated, and the people at large were left free to make a new government for themselves. If the part of the country to which General Taylor marched "never was, under the Mexican Government, connected in any shape with Texas," as asserted by Mr. Gallatin, which we deny, it has nothing to do with the question in dispute. The state constitution of Tamaulipas, equally with

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that of Coahuila and Texas, was crushed by the military usurpation of Santa Anna, and both the attributes and name of a state were denied to her. The boundaries fixed for that state, under the federal and state constitutions, were of no effect as soon as both constitutions were destroyed; and the people in every part of the territory were left without a government, but not without their natural rights.

The civil revolution in Mexico put an end to the civil divisions; nothing was left but the country, the people, and the rights of men. A new state was formed from original elements, and became a permanent, established and law administering government, with its limits duly and formally declared to the world. With a full knowledge of those claims, the principal nations of Europe had acknowledged her independence. Had any power on earth a better claim to the territory on the east of the Rio Grande than the State of Texas? Where is the evidence of the indubitable title of Mexico to any part of it? How had Mexico acquired, and how long had she exercised her undisputed and peaceable jurisdiction over any part of the territory or its inhabitants?

The United States acknowledged the independence of Mexico, as it did of Texas. when it found it in fact independent; but Spain did not acknowledge such independence, till long after the Texan revolution. During the first Presidential term of four years under the Federal constitution, the President, (Victoria,) and Vice-President, (Bravo,) with their respective partizans, waged open war against each other. Within a year after the election of the second President, Pedraza, (1829,) Guerrero, a military chief, usurped the Presidency, and Bustamente the Vice-Presidency, and drove away the lawful President and government. In the same year, Spain sent 4000 troops to Tampico, to re-establish the royal authority, but this expedition failed. Bustamente, the Vice-President, by usurpation, pronounced against Guerrero; and being joined by Santa Anna, drove him to the mountains. In 1832, Santa Anna pronounced against Bustamente, and in favor of Pedraza, the lawful President, and once more a lawful government was restored. As soon as Pedraza's term was out, (1833,) Santa Anna contrived to be elected President under the constitution, but within two weeks he was proclaimed Dictator by the army, and with pretended reluctance, yielded to the demands of the military, and the overthrow of the civil power.

In 1834 Santa Anna formally dissolved the Constitutional Government, summoned a new Congress on a plan of his own, and established a consolidated government, abolishing the state governments and constitutions.

Now, while Mexico itself was rent with sanguinary wars between the chieftains of the military, and nobody could tell to whom the Capitol itself owed allegiance; while Spain, as well as some of the Mexican leaders, claimed jurisdiction over the inhabitants and country east of the Rio Grande; and while the Dictator, Santa Anna, acting by his own will alone, and not acknowledging any lawful government, had acknowledged the independence and limits of Texas, and still retained control in Mexico, is it not surpassingly strange that some of the tender-hearted and patriotic statesmen of he United States should arrive at the conclusion, that the title of Mexico to the territory east of the Rio Grande was clear and indisputable?

By the acknowledgment of the independence of Texas, the United States were as much committed as to the declared limits of its territory, as they were by the former acknowledgment, as to the declared limits of Mexico. Having acknowledged the latter as the lawful government of the territory east of the Rio Grande, they were no more bound to consider any inhabitants within those limits as subject to Mexico, than to consider any of the inhabitants of Mexico as subject to Spain. From that

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moment the Spanish settlers within the limits of Texas, who had never been civilly organized under the laws of the state, were as much the subjects of Spain as of Mexico. Their allegiance was claimed by three sovereignties. The same was the case with many other districts of Mexico—they never submitted to any government any longer than the soldiers were in sight,—took no notice of the political changes in the city of Mexico, and were about as wild and independent as the Camanche Indians. There has been scarcely any thing like government or law in New Mexico or California for fifty years past.

But there were some people within the claimed limits of Texas who had been at times quartered upon by the Mexican soldiers, and did not dispute their authority; and they, especially those at Point Isabel, and along opposite Metamoras, it is contended, gave a title to Mexico, over the whole country, away through the wilderness to the Nueces, far superior to that of Texas to the great, natural, convenient, reasonable, and historical boundary next beyond its actual settlements, the Rio Grande. It is respectfully submitted to the impartial reader to decide which of the two claims is the best.

The people of the new State of Texas had been deprived of their lawful government which promised them protection, and thrown upon their own resources to form and sustain a government; they had been members of a State not only claiming, but lawfully possessed of the country to and beyond the Rio Grande, and had taken many titles from such state, of lands bounded on that River; they had been subjected to a bloody and merciless war waged against them by the Dictator of Mexico; they had been successful in their struggle for independence, and shown themselves merciful to the tyrant who butchered their citizens in cool blood, after receiving their capitulation as prisoners of war; they cleared their state of all signs of an enemy and consolidated their government; and had they not a better title to the whole of their declared limits, than the miserable military myrmidons of the detestable tyrant Santa Anna?

This view of the subject presents a clear title as against Mexico, independent of the acts of the Government of the United States, which were imperative upon the Executive, to maintain that boundary in fulfilment of the pledge of the national faith to Texas. The President could know no fractions of Texas. It was annexed with declared limits, and the Western were as positive as any other. How sensible men can contend that the President needed an act of Congress, to authorize the march of the United States army from one part of a state to another, is more than we can comprehend. Especially if the annexation was, of itself, an act of war, being a union with one of two belligerants, as contended, we are entirely at a loss to comprehend, how the President can be to blame for carrying into effect the resolutions of Congress itself. This view of the matter fully justifies the President, and makes the advance to the Rio Grande at least as justifiable as the annexation itself. The radical vice in the reasoning of those who consider both wrong, consists in considering the Imperial or Dictatorial Centralized Government of Mexico, without states, as identical with the Federal Government of 1824, consisting of independent states, and having jurisdiction of all the territory formerly possessed by Spain, whereas the former never had any jurisdiction east of the Rio Grande.

The unfortunate and inaccurate concession of President Van Buren in declining the application of Texas for annexation in August, 1837, that such annexation would be a violation of "treaty obligation" to Mexico, and the zeal with which the idea was seized upon and used by the northern opponents of annexation, on the ground of slavery, are believed to be the chief causes of all the arguments which Mexico and other foreign nations have used to

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kindle the flame of war between the two countries. If there had been no slavery in the United States or Texas, the politicians of this country would never have furnished Mexico with any fallacious arguments against their own country, on the question of annexation. So far from any violation of treaty obligations with the Mexico that was when Mr. Van Buren made this concession, the treaty to which he alluded was made with the Mexican Confederacy under the Constitution, which embraced Texas; whereas after that confederacy was destroyed, and the United States had acknowledged another nation East of the Rio Grande, the remainder of Mexico was under an entirely distinct government, and as much a new state or nation, as the Republic of Texas.

Secondly.—Assuming that no boundary was settled between the two countries, it was the moral duty of each to offer to settle one by fair negociation, which would embrace the giving of an equivalent for territory relinquished by one to secure the desired convenient boundary to the other. This Texas had always been ready to do; and this the United States, in a spirit of kindness and good will to Mexico, expressly offered to do, notwithstanding the menacing and insulting attitude assumed by Mexico. Two successive ministers were insultingly sent home, after every effort to conciliate. Mr. Gallatin has adopted the quibble about the word used by the Mexican minister, when he agreed to receive an envoy from the United States, with full power to settle all matters in dispute; and says that, though the question asked by Mr. Black, the consul, was—whether an envoy, with full power to settle all matters in dispute, would be accredited by Mexico—the reply was, that Mexico would receive the Commissioner of the United States. That this is a mistranslation is obvious, from the fact that Mexican ingenuity never resorted to the quibble. In the correspondence with Mr. Slidell, the government of Paredes put their refusal to receive him as a minister, upon the ground that Herrera's government had done wrong in agreeing to receive an envoy or ordinary minister; and it was this agreement of Herrera to receive a minister, that caused his overthrow. The answer was then nothing more or less than an affirmative answer to the question, with the qualification that the fleet of the United States should be withdrawn from Vera Cruz. This condition shows that a negociation by a minister, on a peace basis, was contemplated. There was no intimation of any desire, that the appointment should be qualified or restricted, but, on the contrary, that the power should be full and perfect.

But, supposing the United States had mistaken the import of the consent, was Mexico justified in plunging the two countries in a war, upon a verbal criticism upon a mere informal communication? In order to justify or excuse the conduct of the Mexican Government in refusing to accredit Mr. Slidell, it is necessary to pronounce a judgment of condemnation against the Government of the United States in the whole prior controversy; and if such judgment be just, it is of little consequence how the point in question shall be decided. If the question of boundary could only be settled by negociation, was it not as much the duty of Mexico as of the United States to open the negociation? Yea more:—was it not peculiarly proper for them to re-open the intercourse which they themselves had suspended by the insulting rejection of Mr. Shannon? Assuming the United States in the right, as to the annexation, we arraign Mexico, before the world, as the culpable author of the war, and the cause of all the bloodshed and devastation which have resulted from her wilful refusal to negociate.

But it is asked, why the United States should have insisted upon

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negociating through an ordinary envoy, rather than a special commissioner, to adjust the question of annexation? Why should they not have so insisted? Mexico claimed that the annexation was a hostile aggression upon her; but this the United States could not admit with any regard to the national honor, or, what was more important still, to truth and justice. The United States did admit that the boundary of Texas was a fair subject of negociation, as they had annexed that state, with a reservation of the power to adjust the boundary. Mexico declined negociation in toto, until satisfaction should be made for the annexation itself, as an aggression upon her. She never intimated any idea of being satisfied with a commission to establish a boundary. The appointment of such a commission would have been a legitimate object of the very negociation which she declined. It was as absurd for Mexico to expect the United States to appoint a special commissioner to settle for the annexation of Texas, as it would have been for the United States to have insisted that Mexico should appoint a special commissioner, to settle for the rejection of the former minister, Mr. Shannon, before receiving an ordinary minister from Mexico. As the stronger, however, the United States could afford to forget the indignity offered her, and take the initiative in re-opening friendly negociations. Was not this condescension enough to the pride of Mexico, without submitting to the degradation of sending a special commissioner, to ask pardon from a government to whom no offence had been offered, but from whom repeated wrongs and insults had been received? There were other reasons why a minister with full powers should have been insisted on. Mexico had violated her treaty whereby she solemnly promised to pay our citizens large sums of money forwrongs which she herself acknowledged, and placed herself in a hostile and threatening attitude towards us, which required us, at great expense and sacrifice, to stand prepared to defend the country against her threatened hostilities. It was necessary to ask justice at the hands of Mexico, instead of making apologies to her; and it would have been too regardless of the rights of our injured citizens and the national interests, to have listened to her prevaricating pretences for delay.

The United States then did all that justice and magnanimity, good will and even forbearance required, to avoid the direful calamities of war and procure a peaceful settlement of a boundary. What was next to be done? How was a boundary to be settled? There was but one resource left, and that was, to take possession up to the limits already declared by Texas, and which the United States is now bound to regard as correct till otherwise fixed by treaty with Mexico. Mr. Gallatin concedes, (p. 15,) that such a declaration of limits might be imperative upon the executive of the state not to conclude any treaty of peace with Mexico without such boundary was agreed to. If so, was it not equally imperative upon the President after annexation, until altered by treaty as provided by the resolution of annexation, to maintain that as the true boundary? Here was a line, then, already fixed, as far as one party was concerned,and the other refused to treat upon the subject. It did not need even an act of congress to authorize the taking and holding up such line. Congress had already adopted that boundary, and the President was bound to maintain it.

If no annexation had taken place, and Texas had marched her forces to the Rio Grande, would not all the world have held her justified? The United States had the same rights, and were acting in behalf of Texas. They did not, however, assume to exercise all the rights of Texas, for they studiously avoided all interference with the Mexicans found within the country, armed and unarmed, and made known to the

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Mexicans their intention not to meddle with them, but treat the country as a territory in dispute between the two nations.

This was done—molesting nobody, and informing the commander of the forces of Mexico of the pacific intentions of the United States; and this after a refusal of Mexico to negotiate! How this can be construed into an aggression upon Mexico is surely more than we can comprehend. —The Mexican commander, at Matamoras, availed himself of the threatening position of General Taylor, as a pretext for the hostilities which he was bound to commence, under any circumstances, by the positive instructions of his government, given without any reference at all to that matter. And still this Mexican pretence is good authority with some of the great statesmen of the United States, who denounce the war on our part as a war of pretexts! See Mr. Webster's speech at the Mass. State Convention in 1847, and Mr. Gallatin's pamphlet before cited.

As to the position of General Taylor, threatening Matamoras, it is a pretty good justification that the armies of Mexico were previously on their march, with the avowed intention of invading the United States. The United States were authorized to assume a threatening position under such circumstances, as they had before done in sending their fleet to Vera Cruz.

Thirdly. The threatening and hostile attitude of Mexico fully justified the advance of General Taylor to be ready to repel the threatened invasion.

All writers upon the law of nations agree, that it is not necessary to wait for actual hostilities from a country threatening war; but that where an injury is obviously intended, and about to be inflicted upon a country by its neighbor, the threatened party may justly strike the first blow. When the traveller sees the weapon of the robber aimed at him, it is not necessary to wait for him to fire before disabling him; and the same rule applies to nations as to individuals, as the following passage from Vattel's Law of Nations will show:—

"Let us then say, in general, that the foundation or cause of every just war is injury, either already done or threatened. The justificatory reasons for war show that an injury has been received; or so far threatened as to authorize a prevention of it by arms. * * * When, therefore, we would judge whether a war be just, we must determine whether he who undertakes it has in fact received an injury, or whether he be really threatened with one. * * * Those alone to whom an injury is done or threatened, have a right to make war."

Now had not Mexico both done and threatened injury to the United States? Had she not violated her treaty, insulted the nation through its ministers, suspended all intercourse, and continually menaced us with hostilities? And were not her armies on the march for the invasion of Texas, to wreak their vengeance on its inhabitants? Should the United States have waited till they had surrounded and massacred two or three hundred Texans, as they did those of the Alamo, to whom they gave no quarter—or murdered an equal number of disarmed prisoners, as they did Fannin and his men, in the time of the revolution? What devastation would Arista's 7,000 troops have committed in Texas, but for the stout heart and clear head of the old hero, Gen. Taylor, and the unsurpassed gallantry of the officers and men of his little Spartan army. No matter about special pleadings; no matter whether the going to the frontier to repel invasion by the one party, or the firing upon them by the other, was technically the commencement of the war. We do not deem this point of sufficient importance to call our friends liars, who differ from us in opinion. It is

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enough for us to feel and know that our country was right in what was done, and that the conduct of its rulers is fully justified before the country, the nations of the earth, and the God of battles.

We have thus demonstrated—

1. That the war had its origin in the absurd and fallacious pretences of the Mexicans in regard to the independence and annexation of Texas, which were not invented by them, but by political leaders in the United States.

2. That when the Republic of Texas was formed, there was no lawful government in Mexico, to whom any of the inhabitants owed allegiance, and that the people of Texas had good authority to extend the jurisdiction of the Republic they established to the Rio Grande.

3. That the Dictatorial, or consolidated government of Mexico, established in part of that country west of the Rio Grande, never had any quiet or peaceable possession of any of the country east of the Rio Grande, sufficient to give it any color of right to jurisdiction over the inhabitants or country.

4. That after the conquest of Santa Anna and his army by the Texans, the acknowledgment of the independence and western boundary of Texas by Santa Anna, as the price of his life and release, and the actual evacuation of the whole country to the Rio Grande by the Mexican troops, the United States and other nations were fully justified in acknowledging and regarding Texas as an independent nation within those limits.

5. That after the government of Texas had maintained itself for ten years without rebellion or revolution, while the part of Mexico which remained was constantly in a state of anarchy and civil war, the United States had as good a right to treat with Texas for part or the whole of its territory, as it would have had to treat with Mexico for any part of that country which remained.

6. That at the time of the annexation, good cause of war by the United States against Mexico existed, and the acceptance of Texas, even had it been a Mexican province, and as an act of war, would have been fully justified.

7. That in truth no actual war existed between Mexico and Texas at the time of the annexation, and the measure was properly treated by the United States as not at all hostile to Mexico, and every effort was made to preserve the friendly relations of the two nations, consistent with the honor of the United States.

8. That Mexico, by refusing to negotiate, clearly placed herself in the wrong, and rendered the war inevitable.

9. That in ordering the United States army to the Rio Grande, the President was as clearly justified as he would have been in ordering them to any other part of the declared and acknowledged limits of the State of Texas—that he was but carrying out the Annexation Resolutions of Congress, and did not need another act of the same Congress to justify him.

10. That Texas never was bounded by the Nueces, but was considered by the inhabitants of the country, as early as 1831, as extending to the Rio Grande, and that too immediately opposite Matamoras.

11. That it is immaterial whether any and what boundaries are now established for Texas or Tamaulipas, or both, by the Mexican Government, as the civil revolution put an end to the civil divisions.

12. That if there was no western boundary of Texas settled, as against Mexico, having endeavored in vain to negotiate, the United States were fully justified in maintaining the boundary declared by Texas.

13. That no matter whose territory it was into which the United

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States' Army marched, such march was fully justified, according to the law of nations, on the ground of the threatened hostilities and advancing armies of Mexico.

14. That the United States did everything which a generous and magnanimous nation could do, to avoid the horrors of war, and were to blame only for their forbearance, which encouraged the insolence of the Mexicans; and that the whole responsibility of the war rests upon Mexico.

And now we most respectfully ask the London Times and other English journals, who are so fond of placing before their readers every thing unfavorable to the claims of the United States, and also the New-York Tribune, which takes even stronger ground against the United States in this controversy, to place the substance of our arguments candidly before their readers, and then answer them if they can, or if not, acknowledge that they can't.

As to the consequences of this war, however lamentable the loss of the many valuable lives already sacrificed, we firmly believe the result will prove beneficial to both countries. As Mexico is responsible for the war, she must make large concessions of territory to the United States, as an indemnity for her former indebtedness and the expenses of the war, before peace can be re-established, without disgrace to the United States. This territory will be highly valuable to the United States, but was of no sort of value, but rather an embarrassment to Mexico. It will open a new field of enterprise to our ever-progressive population, and new channels of trade for the manufacturing and agricultural districts of the United States. It will cause the Mexicans to perceive the importance of doing justice to strangers, and maintaining and enforcing laws to prevent their being plundered and robbed; and, what is more important, that the Mexicans and the Spanish race are not superior to all the rest of the world. We do not believe at all in giving money to Mexico, to buy a peace. We hold that the United States have been right throughout, and are entitled, upon the principles of strict justice, to a full satisfaction from Mexico. No matter what it costs, or what sacrifices we may still be compelled to make to obtain it, this we must have, or submit to a sacrifice of our national honor. This the Mexicans fully appreciated, when they made it a *sine qua non* of peace, that they should retain the country between the Nueces and Rio Grande. They would thereby place the United States in the wrong, in the commencement of the war and the whole controversy. The United States never can and never will agree to any such thing.

Mr. Gallatin and others who maintain that the United States have been in the wrong in the whole controversy, including the annexation of Texas, in spite of all their Christian charity and benevolence towards the poor wronged Mexicans, and their strong professions of a desire to do them full justice, still propose only to withdraw the United States forces to the east side of the Nueces, retaining all of what they call Texas to ourselves. Now, if the annexation of Texas was an aggression upon Mexico, or an unjust seizure of one of her provinces, as these good Christian statesmen contend, why do they not come up to the mark and propose, like honest men, to restore the whole of Texas. There would then be no difficulty in making a peace, for the amount which the United States would be required to pay Mexico for the expenses of the war, would raise a respectable army for the conquest of Texas.

Whatever danger there may be in blending people of different religions into one nation, where religion is established by law,—or in annexing by

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conquest, under arbitrary governments, which trample upon the rights of all their subjects, and conquer only to enslave,—a free nation, which shows equal toleration and protection to all religions, and conquers only to bestow freedom, has no such danger to fear. We had the same forebodings, from equally great men, in the case of the acquisition of Louisiana; but the result has belied all their predictions. Let us boldly go forward, then, in our onward march of national greatness, and fearlessly extend our boundary as far as the justice of our claims and the circumstances of war may carry them; and let our motto be—"Justice to all—humiliating concessions to none."

THE ADVENTURES OF CHRISTOPHER COLUMBUS;

A POEM.

CANTO FIRST.

What form is that, of stately port,
  Athwart my mind that beams,
With visage grave, and eye of fire,
  That, as a meteor, gleams?

'Tis *his*—that lofty mariner's,
  Who o'er the seas did come—
To search for nations yet unborn,
  A *free* and happy home.

An ancient *Convent* too there seems,
  That stands on rising ground,
Which o'er a sea-lashed coast upreers—
  Pine trees are waving round.

In *such*, begirt with map and chart—
  That navigator bold,
With Friar Juan Perez—once—
  Did many a conference hold.

In *such* he sat—in musing mood—
  When thought his brain would rack—
As o'er a *visioned* "ocean waste,"
  A phantom ship he'd track,

In fancy—to a distant clime,
  Of fair and shadowy bow'rs—
Where birds of gorgeous colored plumes,
  Winged over radiant flowers.

Where animals of fancy foot,
  More fleet than eye had seen,
Were roving—to his dreamy thought—
  Amid savannah's green:

And where through shade of spicy trees,
  The gentle natives there,
With diamond eyes, and glittering smiles,
  And dark luxuriant hair,

Were culling fruits of luscious taste—
  Or silvered barks they plied
Adown the shining azure streams—
  Those waters—pearls should hide!

Oh! many a vision such, was his,
  Ere he a sail unfurled—
Ere monarch's might would grant him aid,
  To *find* our blessed world!

And *once*—from forth such Convent's gates,
  That noble seaman rode—
And with his thoughts, so high—alone—
  He sought a king's abode.

'Twas military bustle all,
  As Colon* lighted down—
Alone—unknowing and unknown—
  In Cordova's old town.

As o'er his face of thought sublime,
  A glorious smile there broke—
Before Hispania's King and Queen,
  He bowed, and thus he spoke:

"Oh! puissant King! illustrious Queen,
  I pray you list to me—
For I have thought to make your power
  The greatest that may be.

O'er seas unknown—of realms I've mused
  That teem with wealth untold—
There natives ply their silvered barks
  On streams that pearls must hold.

I think, as Afraganus tells,
  The world is *small* and *round*†—
And when I've crossed the Western deep,
  Know, *India* will be found.

* *Colon*, as the name is pronounced in *Spanish*.

† "Adopting an opinion of Afraganus, a learned Arabian, that the circumference of the earth was less than was generally imagined, Columbus concluded that if Asia extended, as was represented, it must approach the *western* shores of Europe and Africa, and the intervening space of ocean must be of moderate extent."—*Irving's Columbus.*

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There's but Cipango lies between,
  Which Marco Polo told*
Would prove to be a shining land,
  Bestrewed with burnished gold.

Then grant me many a winged ship,
  That I those realms may seek—
And offerings rich, from stranger clime,
  My grateful heart shall speak.

Then brilliant gems, from plenteous mines,
  Of every hue that be,
I'll delve, to weave a diadem,
  Oh! gentle Queen, for thee.

I've dreamed that land held heretics—
  Those beings, at *thy* feet
I see them kneel—they bless the hour
  When westward sailed our fleet.

Then give me but the Astrolabe,
  A few picked seamen true,
And I will cross the trackless deep,
  To find a realm for you.

Where ne'er a ship has sailed before,
  I'll breast the ocean wave,
Nor heed the howling billows roar,
  Nor fear a watery grave.

No, no! such visions blest I'll have
  At night, upon that deep—
'Twill seem that forms from Paradise,
  Are visiting my sleep—

To paint, ere barks have touched that shore,
  Its blue robed mountains high,
Full dawning on our glowing sight,
  That we may know it nigh.

Oh! when we touch that blessed strand,
  And rests each weary keel—
To Him who dwells above the skies,
  In reverence will we kneel.

Then rising, as we anthems sing,
  My arms in air I'll toss,
And high the glorious banner wave,
  That bears the blessed cross.

We'll plant it on some lofty cone,
  Before it kneel again—
And kiss the earth, so stoutly sought,
  For King and Queen of Spain."

His ample front—his kindling eye—
  His brightly flushing cheek—
His earnest, deep, unfaltering tones,
  Such purpose high did speak—

That heavenly Isabel,
  To glowing thoughts awoke—
As dreams all blest rapt her soul,
  In ecstacy she spoke:

"Thou gracious King, this seaman list—
  Sweet visions dawn on me—
They image gilded palaces,
  Beyond a crystal sea."

King Ferdinand, he coldly spoke—
  "I will that there shall be,
At Salamanca, council held,
  This sailor's scheme to see."

Of Salamanca's sages—some
  They *scoffed* a *rounded* world—
Nor deemed for Colon there should be
  A single sail unfurled.

"This madman tells us there are men,'
  Whose heads in air hang down"—
Said one old learned councillor—sage—
  "The thought, it makes me frown.

Of such a topsey-turvey world,
  Sure it can never be,
That all the branches downward grow
  Of any *single* tree."

But Ferdinand and Isabel,
  For all those sages learned,
Said—when they'd scourged the infidel,
  His suit should not be spurned.

The warrior King the Moors assailed,
  And fields were lost and won—
Still, still, Columbus urged his suit—
  Long years had come and gone.

From Seville proud—impatiently—
  Then rose that mariner—
And sought again La Rab'da's dome,
  And would again confer,

With Friar Juan Perez, good—
  Then spoke that friend so true,
(Who ever clung to him in need,
  Whatever might ensue:)

"My mule, sure-footed, will I mount—
  I'll haste to Santa Fe—
And there will urge our gracious Queen,
  As earnest as may be."†

The Friar's mule was saddled soon,
  And soon to Santa Fe
He hasted—his discerning mind,
  How well could it foresee!

Queen Isabella's bosom fired,
  As forcibly he spoke—
She listed well his earnest words,
  And thus her silence broke:

"Oh! Father Juan Perez, good,
  My thanks are due to thee,
For back recalling Colon bold,
  For us to cross the sea:

* "He," Marco Polo, "mentioned also an island about fifteen hundred miles at sea, which he called Cipango, and which is supposed to be Japan."—*Ibid.*

† "He," Friar Juan Perez, "had been confessor to the queen, a sacred office which gives a priest an almost paternal privilege in advising."—*Irving's Columbus.*

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Then bear thy friend this golden store,
And prithee from me say,
That I enjoin, to Santa Fe
He hie, without delay."

Columbus, whom these tidings cheered,
Made haste to Santa Fe—
And there a splendid, mournful sight,
His hap it was to see.

He marked the last of Moorish Kings
His keys surrender o'er
To the King of Spain—and leave for aye
Whate'er he'd known before.

For old Granada gained, I ween,
Spain held a jubilee,
The while Columbus mused in thought,
Upon the Western sea.

When soon the King and Queen he sought,
And prayed at once they'd keep
Their vow, to yield him outfit good
To course the unknown deep.

"And grant," said he, "thou sov'reigns great,
That Admiral I shall be,
Where'er shall sail your goodly ships,
Upon that distant sea.

And"—here his lust'rous falcon eye
Emitted many a spark—
Majestic grew his tow'ring form—
"And—oh! ye sov'reigns, hark!

I claim that *Viceroy* I may reign
O'er all the realms I gain—
Indeed, unless my hest you grant,
I may not cross that main."

Thus Ferdinand and Isabel
In haste the conference broke—
Such *princely* meed that he'd demand,
Astonishment awoke.

Soon rode the long enduring one
From that encampment grand,
And thought forever then to leave
That King and Queen, and land.

But when he'd reached to Pinos bridge,
A space there halted he,
To gaze upon that scene sublime,
He never more should see.

For e'er he loved the beautiful,
Poetic, true and grand—
Such feelings had he not have nursed
He ne'er had dreamed this land.

Two friends had Colon left at court,
As faithful as might be—
Comptroller one, of Castile's wealth—
Both courtiers of degree.

To Isabella's feet they flew,
"Oh! mistress dear," quoth they,
"We fear us much, that Colon proud,
Will cross to France away.

So well he'll paint his brilliant thought—
So well the French King urge—
That for *that* crown, and lost to Spain's,
Will those new realms emerge."

The graceful Spanish Queen reclined
'Gainst crimson cushions there—
Now deeply flushed her lovely cheek,
Beneath her auburn hair.

Her hands so white, she clasped, and cried,
As flashed her bright blue eye—
"Great Colon! no—he must not part,
Although his claims be high.

I know Granada's war hath drained
Our coffers of their gold,
But I will pledge my jewels rare,
To fit that seaman bold:

Go! haste! a courier dispatch
T' acquaint him with our view:"
Thus God our navigator sped,
As e'er he doth the *true*.

The courier reached at Pinos' bridge
Columbus taking rest,
Who gladly turned him back again
At Isabel's behest.

By one bright act, that lovely queen
Did patroness become
Of all our glorious western world,—
Our *free* and happy home.

And now with Colon, king and queen
Had solemn contract made;
It promised him three goodly ships,
And every needful aid,

To fit him for his great design
In leaving Palos' port;
And there commanded seamen true
Would presently resort.

How glowed the navigator's heart,
And flashed his falcon eye,
When at La Rabida's old gate
He lighted happily.

The Friar, Juan Perez, good,
To whom he owed a debt,
All joyfully embraced him there,
The true and brave were met.

These friends, in little time they hied
To Palos' town, so near,
For caravels, and seamen read
That order—ALL must hear.

Oh! what a tremulous affright
Assailed the hearts of all;
The bravest quailed beneath the thought—
They'd none attend the call,

To venture o'er a deep unknown,
Where ship ne'er sailed before;
To fight, mayhap, with monsters strange—
Be drawn by Mermen o'er,—

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Down, down beneath those billows dread,
Far, far from all so dear;
The boldest sailors of them all,
They quaked for very fear.

Till Martin Alonzo Pinzon, good,
A mariner there of name,
Two ships declared he'd join them with,
And sail in one for fame.

There was a third, with all its crew,
By royal mandate, *pressed*,
And oft in sailing o'er the sea,
That crew it caused unrest.

The Nina and the Pinta, ships
The Penson's held in hand;
The Santa Maria, the full-decked,
Columbus should command.

Now Colon dreamed the *eastern* coast
Of India he'd explore—
Of the *world* between, oh! had he known!
Unheard of, e'er before.

At last the fatal day arrived
When sail they must, far o'er,
And o'er a trackless deep abyss—
Perhaps return no more.

Then Friar Juan, friend in need,
Columbus knelt before—
Confessed himself of all his sins,
That priest he blessed him o'er.

The sacred unction, last received
By him, and all his crew—
They hoisted flags, and strove to man
For the *last* sad interview.

Amid the tears, and shrieks, and prayers
Of wives and friends so true,
The ships thus *doomed* unfurled their sails,
And vanished slow from view.

Dark gloom o'er Palos' port was spread,
Its townsmen long did gaze
At little,—less'ning, deeming specks,
Then all was lost in haze.

On Friday, then, of August third,
In fourteen ninety-two,
That little fleet from Spain did part,
And vanish thus from view.

Canary Isles the squadron gained,
And rested there a space;
When sailing *west*, Isle Ferro's height
The men no more could trace.

They loudly mourned their cruel fate;
Rough seamen shedding tears
At venturing o'er that mystic deep,
That chaos to their fears.

But on, and on, Columbus steered—
Away, away, steered he,
Where ne'er a ship was steered before,—
Oh! a vent'rous soul was he.

At last the trade-winds 'gan to blow,
What weather? soft and bland;
But nightingale had they, they'd seemed
In Andalusia's land.

Green herbs and weeds came floating now,
One bore, sad eyes to greet,
A tiny form that seemed divine,
Of little crab—'twas seat.

Then soon came winging over head,
A tropic bird, so white,
To joyous sailor's eyes it dawned
A spirit of delight.

Columbus knew 'twas of a kind
That slept not on the sea,
And from its visit throbbed his heart
With many a sweet augury.

And now they hoped to near a land—
Alas! no land they gain—
Columbus dared not speak the leagues
They'd held away from Spain.

Though stout his men, they grew afraid—
Those eastern winds e'er blew,
As if to waft them OFF the west,
Poor miserable crew!

Oh! then a western wind there blew;
They happy were again;
And fresh hopes had to steer them back,
One lucky day, to Spain.

Sweet flocks of little orchard birds
Came singing in the morn;
And till the evening, cheered with lays
Those sailors,—so forlorn.

But now there fell a sudden calm,
O'er all that stranger sea;
They'd rest them there, the sailors thought,
Till death should set them free.

Columbus reasoned, threatened—vain—
They'd not *his* will await;
Then, suddenly, a gust of wind
Relieved him from his strait.

And now Columbus changed his course
To meet the Pinzon's view;
On, on they steered, no land they neared,
They knew not what to do.

Then thought that crew of mutiny—
Why were they bound for him,
A foreign rash adventurer,
To peril life and limb.

The voice so gruff, of seamen prest,
Low whispered—"Let me creep
Upon him with my sharp steel dirk,
And stab him in his sleep:

We'll say, engrossed with the Astrolabe
And watching stars, he fell
Down, down within the deep abyss,
And *we*, returned to tell."

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How hard their thoughts, Columbus knew,
  Yet his face still shone serene;
But in the morn no more was doubt,
  That *land* would soon be seen.

Yes, omens on that morn there came,
  That earth must soon appear;
A green-fish, looking beautiful,
  That dwells by rocks, swam near.

A thorn-bush, too, its berries red,
  Came undulating o'er;
And last, more prized, a carved staff,
  That aught they'd seen before.

Brisk animation, new-born hope,
  At once each bosom fired;
Each sailor gazed, and gazed ahead
  To hail that sight desired.

But vain, alas! the gorgeous sun
  Again had sunk to rest—
Their canopy was still the skies,
  Beneath them, ocean's breast.

How solemn rose the vesper hymn
  That eve, to Virgin dear,
From the barks, all lone, on a stranger sea,
  With no ear nigh to hear,

Save that of *One* beyond the skies,
  Who'd led them o'er the deep,
No eye was closed that live-long night;
  None felt the wish to sleep.

Columbus watched, and watched aloft—
  A light he thought there beamed
From far: but ah! it vanished soon—
  Perhaps a meteor gleamed.

Came *two* o'clock, there burst a sound
  As listened he, elate,
The *signal-gun* the Pinta gave—
  Land! land!—"Oh! God!—blest fate."

They rested them till morning's dawn,
  With sails no more unfurled;
How wildly throbbed those glowing hearts,
  Before that Stranger World.

Was this Cipango, then, indeed,
  Which Marco Polo told
To be a land of palaces,
  Bestrewed with burnished gold?

Its habitants, what, what were they?
  Were they as others were,
Or some dread race of monstrous shape,
  Poor seamen's souls to scare?

But oh! what feelings thrilled the breast
  Of Colon, unrevealed,
The mystery of that ocean vast,
  By *him* should be unsealed.

His sacred thought no more should be
  The scoff of sages learned;
No more by gaudy courtier vain,
  Should his great name be spurned:

No! down to ages yet to come,
  'Twould go for evermore,
Till this, our globe, should shivered be,
  And mortal race be o'er!!!

PHAEDON;

OR, THE IMMORTALITY OF THE SOUL.

TRANSLATED FROM THE GERMAN OF MOSES MENDELSSOHN.

(Continued.)

'WHAT causes war, sedition, strife, and dissension among men? What, but the body and its insatiable desires? For avarice is the mother of all unrest, and the soul would never covet possessions as her own, had she not to cater for the greedy desires of the body. In such a manner are we employed most of the time, and have seldom leisure for philosophy. Finally, if one ever obtains a leisure hour, and prepares to embrace truth, then this destroyer of our happiness, the body, is still in the way, and presents her shadows instead of the truth. The senses, against our wishes, place before us their false shows, and fill the mind with confusion, darkness, indolence, and conceit, and how can we ever hope in this tumult to reflect seriously, and attain to truth? Impossible! We must wait for those happy moments, in which stillness from without and calmness within, allows us the privilege of fully forgetting for a while the body, and to look with the eyes of the spirit after truth. But how rare, and how short, are those happy moments!

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'We see therefore clearly, that we shall not attain the object of our wishes, truth, until after death; in life there is no hope. Since, then, the soul cannot, so long as she remains in the body, clearly discern the truth, we must establish one of two conclusions: either we shall never know it, or we shall learn it after death; for the soul then leaves the body, and is probably less impeded in her progress towards truth. But would we in this life prepare ourselves for that happy revelation, then must we grant to the body no more than necessity demands; we must restrain its desires and lusts, and, as often as possible, exercise our minds in thought and reflection, till it shall please the Highest to set us free. Then can we hope, freed from the follies of the body, to look with pure and holy senses upon that highest and most perfect Being, whilst we see others, perhaps near us, enjoying the same blessing.—Such, my dear Simmias, would be the speeches of the wise, if they should cnoverse about that which concerns them, and such, I believe, would be their meaning;—or do you think differently?'

'I do not differ from thee, my Socrates.'

'If this is so, my beloved, hath not one, such as we have supposed, who should follow me to-day, great reason to hope then where we shall come, better than elsewhere, to attain that after which he has struggled in the present life?'

'Undoubtedly!'

'I can then enter upon my journey to-day with good hope, and every lover of wisdom may do the same, if he considers that without purification and preparation, no entrance can be granted to the mysteries of wisdom.'

'This cannot be denied,' said Simmias.

'But this purification is nothing else than the separation of the soul from sensual objects, and a constant practice of reflecting upon its own nature and attributes, without allowing anything foreign to the soul to disturb its investigations; in a word, it is the endeavor in this, as well as the future life, to free the soul from the fetters of the body, in order that undisturbed, she may contemplate herself, and thereby attain to the knowledge of truth.'

'Certainly!'

'The separation of the body from the soul is what man calls death.'

'True.'

'The true lovers of wisdom wish for the approach of death, and take all possible pains to learn to die. Is it not so?'

'It seems so.'

'But were it not the height of absurdity, if a man, who in his whole life had learned nothing but the art of dying—if such a one, I say, should afflict himself, at length, when he saw death approaching—Would it not be ridiculous?'

'Assuredly!'

'And thus, Simmias, death can never be terrible to the true philosophers, but always welcome. The society of the body is to them, under all circumstances, a burden; for if they would fulfil the true end of their being, they must seek to separate the soul from the body, and to collect and concentrate its powers. Death is this separation, the long wished for freedom from the society of the body. What an absurdity then, to tremble and afflict one's self at its approach. Confident and joyous rather, ought we to journey thither, where we have hopes to embrace our love, I mean wisdom; and to get rid of this tiresome companion, that has caused us so many troubles. How? Common and ignorant people, whom death has robbed of their mistresses, their wives, or their children, in their affliction, wish for nothing more earnestly than to leave the upper world, and descend to the objects of their love; and shall those who have certain hopes to behold their love in

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that life, as they can nowhere else, shall they be full of anguish? Shall these tremble? and not rather enter with joy upon their journey? O, my friends, nothing is more absurd, than a philosopher who fears death!'

'By Jupiter, this is all excellent!' cried Simmias.

'To tremble and be full of anguish when death beckons, cannot this pass for an infallible sign that man loves not wisdom, but the body, power, or honor; or all three together?

'Quite infallible.'

'Whom does that virtue which we call courage, become more than the philosopher?'

'No one.'

'And temperance, the virtue which consists in a readiness to moderate one's desires, and to be modest and retiring in all that one does or allows; should not this be especially sought by one who esteems not the body, and who merely lives and moves in philosophy?'

'Necessarily,' said he.

'The courage of all other men will appear absurd, if viewed more closely.'

'How so, my Socrates?'

'Thou knowest that most hold death for a very great evil.'

'Truly,' said he.

'If, then, the so called brave and courageous meet death undaunted, it happens merely out of fear of a still greater evil.'

'Not otherwise.'

'Thus all who are courageous, except the philosophers, are so merely out of fear. But is not this courageousness out of fear, in the highest degree absurd?'

'It cannot be denied.'

'Of their temperance, the same holds true. Out of intemperance, they live moderately and temperately. One would hold this to be impossible, yet though apparently so contrary to reason, its possibility is often demonstrated. They abstain from certain indulgences, in order to enjoy others, of which they are more desirous, with so much the less restraint. They are masters over those, whilst they are slaves to these. Ask them, they will confess, that they subdue their propensities in one direction, for the sake of some excess in another; and they have obtained the mastery over certain passions, only through slavery to others, still more importunate. May not this be said to be, in a certain sense, moderation from excess?'

'According to all appearance.'

'O my dear Simmias! pleasure exchanged for pleasure, pain for pain, and fear for fear—as coins are exchanged, many small for one large piece—this is not the right road to virtue. The only coin which is of any value, and for which all others must be given, is wisdom. With this, one acquires all other virtues; bravery, moderation, and uprightness. Generally, through wisdom is true virtue, true mastery over the desires, evil propensities, and all passions; without wisdom, man obtains, by an exchange of passions, only a poor semblance of virtue, which must still be the slave of vice, and has in itself nothing of reality and truth. True virtue is a chastening of the morals, a purification of the heart, and no barter of desires. Justice, temperance, wisdom, are no balance of vices against each other. Our forefathers, who established the *Mysteries, or the Rites of complete Expiation*, must, according to appearance, have been wise men; for they wished to inculcate through these enigmas, that whoever leaves the upper world unabsolved and unhallowed, must undergo the severest chastisements; whilst the purified and reconciled go, after death, to dwell with the gods. Those

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who celebrate these mysteries, are accustomed to say: *There are many bearers of the Thyrsus, but few Inspired;* and, in my opinion, we are to understand among the inspired, those who devote themselves to true wisdom. I have, in my life, spared nothing, but striven incessantly to be one of the inspired; whether my labor has been fruitless, or how far my purpose has succeeded, I shall best learn these where I am going, and as God wills, in a short time.

'This is my apology, Simmias and Cebes, wherefore I leave my best friends here, without sorrow, and tremble so little at the approach of death. I believe that I shall find there not less noble friends, and a fairer life, than I am leaving here behind, though this will obtain little belief among the common multitude.

'Hath now my present defence found a better reception than that which I delivered before the judges of the city, then am I satisfied.'

Socrates had finished speaking, and Cebes took up the conversation. 'It is true, Socrates, thou hast perfectly justified thyself. But what thou affirmest of the soul, must seem incredible to many; for they hold, in general, that the soul is no more to be found, when once it leaves the body, but immediately after the death of man, becomes lost and annihilated. It rises, as a breath, or like a fine mist, out of the body and into the upper air, where it disappears and entirely ceases to be. Could it be established, that the soul can exist by itself, and is not necessarily connected with the body, then the hopes which thou cherishest would have no small probability; for, as soon as it is shown, that it can be better with us after death, the virtuous has well-grounded hopes that it will actually be better with him. But the possibility is in itself very difficult to conceive;—that the soul after death should still think, that she should still will and have all the powers of reason; this also, my Socrates, demands some proof.'

'Thou art right, Cebes,' answered Socrates. 'But what is to be done? Shall we consider whether we can find a proof, or not?'

'I am very eager,' said Cebes, 'to hear thy thoughts upon this subject.'

'At least,' replied Socrates, 'any one who hears our conversation, even were he a comic poet, cannot reproach me that I employ myself with trifles which are neither useful or important. The inquiry which we have now before us is indeed so weighty, that any of the poets would allow us to petition the gods for assistance, before we proceed to our task' Socrates remained for awhile absorbed in silent devotion; then spoke thus: 'Yet, my friends, with true hearts to search for truth, is the most proper worship that we can render the one Godhead. To the task, then! Death, O Cebes, is a natural change of the condition of man; and we will now inquire what, through this change, happens both to the body of man, and also to his soul. Is not this the subject to be investigated?'

'Exactly.'

'Would it not be advisable, first, to inquire generally, in reference, not only to man, but also to animals, plants, and lifeless things;—what is a natural change?'

'The idea seems to me not unhappy,' answered Cebes; 'our first inquiry, then, is, What is a change?'

'It seems to me,' said Socrates, 'a thing is said to change, when of two states that may belong to it, one ceases and the other commences. For example, beautiful and ugly, just and unjust, good and bad, night and day, sleep and waking; are not these opposite states, that are possible to one and the same thing?'

'Yes!'

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'If a rose wither, and lose its beautiful form, do we not then say, It has changed?'

'Certainly.'

'And if an unjust man would alter his mode of life, must he not assume the opposite, and become just?'

'How else?'

'Also, if any change takes place in anything, the contrary of that which now is, must previously have existed. Thus it becomes day, after it was before night; a thing becomes fair, great, heavy, important, &c., after it has been ugly, small, light, and unimportant. Is it not so?

'A change means, then, nothing more than the exchange or interchange of the opposite states, which are possible to a thing. Shall we rest satisfied with this explanation? Cebes seems still undecided.'

'A little, my dear Socrates. The word *opposite* causes me to hesitate. I should not suppose that exactly opposite states could immediately succeed each other.'

'Right!' said Socrates. 'We see, also, that nature, in all her changes, knows how to find an intermediate, which serves as a means of transition, from any state to its opposite. Night, for instance, follows day by means of the evening twilight; day follows night by means of the morning twilight. Is it not so?'

'True!'

'In nature, what is great becomes small by gradual diminution, and on the other hand, the little becomes large by addition or increase.'

'Just so.'

'Though in certain cases we do not give particular names to this intermediation, yet it is not to be doubted that it actually exists, if a state is to succeed another in a natural manner; for, must not a change, to be natural, be brought about by the powers of nature?'

'How else could it be called natural?'

'But these original powers are constantly active, constantly alive; for if they were to cease a single moment, it would require nothing less than Omnipotence to rouse them to activity. But can that be called natural which could only be caused by Omnipotence?'

'How indeed could it?' said Cebes.

'What the natural powers, then, can accomplish, my beloved, they have already exerted their forces upon; for they were never idle, only their operation was at first invisible. The power of nature, for instance, that produces the changes in the times of the day, is operating every instant, to bring night again over the horizon; but it takes its way through noon and evening, which are the intermediates between the birth of the day and its death.'

'Truly.'

'In sleep itself, the powers of life are already preparing the future waking; so in creatures awake, they are preparing the coming period of sleep.

'This is not to be denied.'

'And generally, if a state succeeds in a natural manner its opposite, as happens in all natural changes, the never-ceasing powers of nature must have been constantly producing this change, and, as it were, impregnating the former state with that which was to succeed. Hence, does it not follow, that nature makes use of all the intermediates, when she would exchange any state with its opposite?'

'This is wholly undeniable.'

(TO BE CONTINUED.)

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DANIEL WEBSTER;

HIS POLITICAL PHILOSOPHY IN 1820.

MAN too frequently lacks self-confidence. Not knowing how much he can accomplish, he often fails to put forth the energy requisite for success, although it is within his control. A deficiency of self-knowledge often casts a shadow over the realm of the future, and dims the brightness of hope. Many of our most worthy young men need encouragement to incite them to vigorous action.

We are apt to look up to certain individuals who have been fortunate enough to get the ear of the world, and command the attention of mankind; and awed by the power they wield, we are too often contented in being their humble disciples, and receiving, without a question, the dicta they announce. We quail before the towering intellect, and tremble in the presence of greatness.

In this we are under an illusion which a little reflection will readily penetrate. No man has ever occupied the sublime position, whence, with undiminished vision he could survey the whole field of truth, and know himself beyond the reach of error. Indeed, it so happens that some of our greatest intellects are less truthful in their inquiries than many who are inferior in the world's estimation.

When, therefore, we see giant minds engloomed, and can discover delusions they cannot surmount, we have reason to be encouraged, and are authorized in bracing ourselves with manly dignity, and claiming the right of independent inquiry.

Let us, then, examine the opinions of one who is acknowledged by the world as one of the mighty among men, in order to persuade ourselves that no man can be so great as to command our obedience. We have long since dissolved the chains which bound us to legal despots; and we have arrived at that stage of progress in which we should "assume the separate and equal station" as individuals, in which we shall feel no subserviency to those who would be our intellectual masters.

In reviewing the opinions of Daniel Webster, I shall confine myself to such as are of fundamental importance, and yet not the especial sentiments of any particular party; opinions which speak of the man, and not of the partizan, and will, therefore, render more forceful what I may say.

In 1820, delegates assembled in convention at Boston, to review the organic law of Massachusetts. The constitution of the state had stood forty years without amendment, and many sober people began to think that the "area of liberty" should be enlarged in that old commonwealth; that their charter of government, in many respects, operated as a restraint upon individual freedom, and impeded the progress of the people. Accordingly, the citizens commissioned their delegates to inquire behind the fundamental law, to recur deliberately to first principles, and to amend the constitution, wherever it was found, in their opinion, to conflict with the immutable laws of nature, as evidenced in the hearts and understandings of a generation in advance of its framers.

The Puritans, and their descendants, had enjoyed nearly half a century

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of what they considered the highest attainable prosperity, under the constitution of 1780; and this experience was considered, by most of the leading minds of the convention, as an irrefutable argument against changing any of its fundamental principles. This argument of experience was strenuously urged by some of the profoundest members.*

Experience, although she is our chief instructor, is nevertheless, at times, deceitful. We learn from her the good or bad effects of certain causes of action, and thence conclude as to their moral character. But experience frequently deceives the ignorant and undisciplined; indeed, it requires a more extensive knowledge, and a wider mental scope than have yet distinguished a human being, to trace the whole chain of causation and effectuation, and determine that which is truest and best in every case. Because the country has been more prosperous than other countries, is no indication that she is enjoying a tithe of the happiness that may be attained.

We also deceive ourselves in permitting prejudice, and the principles in which we were educated, to close our eyes against the truth. We should always be suspicious of the truthfulness of our father's instructions, until we have proved them for ourselves, and to our own satisfaction. We have all the light they had to guide our feet, and the advantage of half a century's improvement. We show an excessive stupidity when we tremble in stepping out of the "old beaten track;" because, as man is a progressive being, we should prove ourselves the worthy sons of Old Dullness, did we not expect, seek for, and actually attain some truth or some improvement which was not known before.

Our prejudices and education makes us the worshippers of the past; hence, the almost insurmountable obstacle which authority interposes against real advancement. Authority has impeded all kinds of improvement, and especially the progress of human liberty in constitutions and statutes.†

We are apt to bow with reverence before ancient things, and in our devotion overlook the wrongs they may have occasioned to the mass. In the Massachusetts Constitution of 1780 were many provisions contravening the rights of man, some of which it was attempted to abrogate in the convention of 1820; but a blind veneration for that instrument prevented all but a very trifling modification. The fallacious argument of experience had much to do in preventing reform. The healthful condition of the commonwealth was claimed as conclusive against any fundamental changes. But a close inspection into the society of the state of the Puritans, must have convinced any impartial inquirer of enlarged views, that the spirit of progress had been forced to struggle against the spirit of the organic law; that, while certain classes may have felt no grievances, they had flourished, in a manner, at the expense of individuals whose rights were, and still are, violated; and that individual liberty is not yet understood and maintained, even in that said-to-be centre of intellectual and moral light.

For instance, the convention recognized, and suffered to remain in the constitution, the element of force as a means of maintaining and propaga-

* "What is the matter with you? What would you have? Look at the people there, and there: think how much better off *you* are than *they* are. Your prosperity and liberty are objects of envy to them: your institutions are the models which they endeavor to imitate. * * * * Take any one of the orators by whom this argument is tendered, or of the sages on whom it passes for sterling; with an observation of the general wealth and prosperity of the country in his mouth, instead of a half year's rent in his hand, let any one of his tenants propose to pay him thus in his own coin,—will he accept it? * * * Were the prosperity of the country ever so much greater than at present,—take for the country any country whatsoever, and for the present time, any time whatsoever,—neither the injustice of the argument, nor the absurdity of it, would in any the smallest degree be diminished."—*Bentham's Book of Fallacies*, p, 431, 432.

† "Propose any thing good; the answer is at hand: wild, theoretical, visionary, utopian, impracticable, dangerous, destructive, ruinous, anarchical, subversive of all government—there you have it."—*Bentham.*

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ting religion. They somewhat improved the old constitution by substituting the term "Christian" for "Protestant," so that all systems of Christianity might enjoy the beneficence of the law. But the constitution still provides for the support of the Christian religion by taxation; so that those believing in no system of religious faith are compelled to contribute equally with worshipping devotees to its maintenance. Under that constitution the citizen is compelled to violate his own conscience, in being forced by the law to contribute to the support of what he believes to be error. Against this infringement of individual freedom there was much unanswerable argument by some liberal members, whose eloquence and truthfulness were unavailing. Some zealous defenders of Christianity scorned all support of religion which did not come from the heart, and rightly believed that piety would flourish more, and hypocrisy less, did the laws leave every one free to give or withhold, according to the promptings of his heart. Speaking concerning the support of Christianity, Webster is reported, in the debates of the convention, to have said: "The legislature ought to have the power of making the particular provisions on this subject, as on others. * * * The committee had listened to cases of particular hardship. This is a necessary consequence of all general rules."

He might have declared this to be the case with all general rules not founded in truth; for truth can never work a particular hardship when action conforms with its dictates. The moral government of God is harmonious; under it none can suffer. When men enact His laws, their operation will ever produce good to all. Webster, therefore, must have seen as through a "glass darkly," in making the above remark. But in two or three sentences which follow he did honor to his great mind:—

"The sects in this country seem to require more guards against the oppression of each other, than they would in Turkey against the oppression of the Grand Seignior. I entreat gentlemen to consider, that if their debates are to go abroad literally reported, the impression will be, that religious liberty does not exist among us. The French have a maxim in eloquence, that nothing is beautiful which is not true. I wish gentlemen would pay regard to this maxim in their speeches. The committee has agreed to strike out of the constitution that part which respects enjoining attendance on public worship. I agree with them. That is the only part which seems to effect liberty of conscience. Gentlemen have talked of paying for doctrines abhorrent to their feelings. I know of none such. The effect of every such is good when we look to the interests of society. * * * How, then, can they object to taxes for the support of them on the ground of conscience? It is proper to put guards on the power of taxing for this purpose; but there is no right of conscience in the case—it is a right of property. * * * The word "Protestant" has given place to the word "Christian," and the clause enjoining attendance on public worship is struck out. What more is required? Nothing but to make certain the right of going from one society to another of the same denomination."

"No right of conscience is violated." Why not, when a person is compelled to support, by his money, doctrines he deems erroneous and injurious in their influence? True, all sects are necessary, because they enable individuals to more fully manifest themselves. Each enfolds individuals that would not rally to any other altar. But each of them embodies in its creed both truth and error,—and the false will die more speedily when left to its own resources, than when the law sustains it by forcing from others its support. This, it must be conceded, is another glaring error which received the support of the unrivalled "Expounder."

Webster then introduced an amendment to the proposition under dis-

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cussion, to the effect that, "all monies paid by the subject for the support of public worship, and of the public teachers of piety, morality, and religion, if he shall require it, be applied to the public teacher or teachers, if any, on whose instruction he attends, whether of the same or of a different denomination from that in which the money is raised." This was more liberal than the proposition proposed to be amended, but it was defeated by an equal division of the committee of the whole—the vote being 196 to 196.

All I am attempting in this paper is, to give the views of this world-wide renowned lawyer and statesman, to show that great minds will err; and that we should not too far rely upon those who enjoy the splendor of a name. I take Webster as an example, because he is a distinguished man of our own age, and cannot claim the apology that is applied to philosophers and statesmen of a period in the past, to wit, that the errors of a man must be excused by the spirit of the age in which he lived. The spirit of this age is opposed to the errors I have and shall notice, and hence the example is a strong one.

On this subject Webster said further:—

"I think there are persons who take a very limited view of this subject. There are those in this hall who consider religion as something which concerns only the individual who receives it. I do not so view the subject. I consider it the only security of good order in society; as the basis of the moral character of the community; as the only protection of a free government. The question is, whether we should take measures, through the power which it is declared the government ought to possess, to disseminate this religion, or leave it to the will of every individual. There are those who maintain that religion would take care of itself. There are others who have assumed another basis,—that religion should be supported for the good of society; that it is a duty on society, which divided itself among individuals, in proportion to their interest in society, and their ability. I know that it is a growing sentiment, that religion has nothing to do with society. But it is not the sentiment of this convention; and the duty of the convention now is to carry into effect the sentiment which they have expressed."

In reference to the value of religion I agree with him; but I regard his opinions concerning the duty of government in relation to it as entirely erroneous. The political organization, called government, should be but the reflex of the public mind. Its spirit should be the spirit of the people—not of the majority merely, but of the whole people—at least the dissenters should be so few that they would be scarcely noticeable in the catalogue. No article of the constitution, or section of a statute, should invade the sanctuary of private feeling, in the least respect; for the sentiments of no one will ever be found to revolt against a legitimate enactment. The conscience of one is as sacred as that of another, and every law is grossly unjust that forces any citizen to do an act he deems wrong. No one can avoid believing error to be injurious, and, of course, his conscience is violated when he contributes to its promulgation.

The legitimate province of legislators is to enact their best understanding of the Divine law, as far as is indispensable to the peace and prosperity of the states, without infringing a single right of an individual. They have no authority to imagine what any one shall think or believe; because the mind of each is the property of himself alone, with the operations of which, as far as they do not directly prejudice another's well-being, no man, or body of men, have any right to interfere. For his mental operations he is accountable alone to God, and not to man. Human government can only deal rightfully with human action wherein it shall violate the rights of others. If these principles be true, and but few at this day will deny their truth, it follows, that the regulation of religious affairs by consti-

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tutional or statutory provision, is a violation of individual right. Even if every one in the state should, at the moment, agree to the support of religion by taxation, still the legislature would have no right to provide for it, because the opinions of some one might change before the law could take effect; and especially would they have no right to legislate on this subject for a single soul of a subsequent generation; and more especially would the framers of a permanent organic law have no right to enforce the support of religion by constitutional provision. This is a subject on which the majority have no more right to rule than has a single individual. Webster, therefore, did not recognise the true end of government when he contended for the right to provide for the support of Christianity by law, whether the individual be conscientiously opposed to contributing for the support of doctrines he deems erroneous, or not. He may be a great "Expounder" of constitutional law, but with his opinions in 1820, he would be unfit to draft a constitution in which all shall find security for the enjoyment of their rights.

But on another point Webster was equally lame. He contended for the right of the people to exact, as a qualification for holding an office, an oath of belief in the Christian religion. On this subject he said:—

"Nothing is more unfounded than the notion, that any man has a right to an office. This must depend upon the choice of others, and consequently, upon the opinions of others, in relation to his fitness or qualification for office. No man can be said to have a right to that, which others may withhold from him at pleasure. * * * All bestowment of office remaining in the discretion of the people, they have, of course, a right to regulate it, by any rules which they may deem expedient. But if office, merely as such, were a *right* which each individual, under the social compact, was entitled to *claim*, all qualifications would be indefensible. The acknowledged rights are not subject, and ought not to be subject to any such limitation. The qualifications, then, can only be made requisite as qualifications for office, on the ground, that *office* is not what any man can demand as a matter of right, but rests in the confidence and good will of those who are to bestow it. It would be seen to follow, then, that those who confer office may annex any such condition to it as they think proper. * * * If the public will may require this qualification (belief in Christianity) at every election, as it occurs, the public will may declare itself beforehand, and make such qualification a standing requisite. * * * This qualification has nothing to do with any man's *conscience*. If he dislike the condition he may decline the office; in like manner, if he dislike the salary, the rank, or any thing else which the law attaches to it. * * * For my own part, finding this declaration in the constitution, and hearing of no practical evil resulting from it, I should have been willing to retain it, unless considerable objection had been expressed to it. If others are satisfied with it, I shall be. I do not consider it, however, essential to retain it, as there is another part of the constitution which recognizes, in the fullest manner, the benefits which civil society draws from those Christian institutions which cherish piety, morality, and religion. I am conscious that we should not strike out of the constitution all recognition of the Christian religion."

That no man has a right to office is an error. The good man has a right to a good reputation, although the people may grant or deny it at pleasure. If they deny it, they commit a wrong against goodness itself. But, according to Webster, he has no right to it, because others have the power of withholding it at discretion. The community will always highly regard an excellent member while they appreciate virtue; but they are under obligation to appreciate virtue; therefore, they are unjust to the meritorious when they deny them the reward of well-doing. This is parallel with the case of office; for the conferring of official distinction is one means the people have of testifying their regard for our distinguished talent and virtue. No one

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can deny the right to gain office, or any other reward of merit, by a course of honorable action; how, then, can the right to office be denied after it is fairly earned? The best men have the right to rule in every state, and the people have the right to be ruled by the worthiest of their members.

Granting the truth of these positions, we can readily detect another error, to wit, that the people have no right to annex impossible conditions to the acquisition of office. Individual freedom of thought and belief belongs to each, with which, as argued above, no earthly power has a right to interfere. There is no demerit in arriving at any conclusions by an honest exercise of the faculties. The faith, therefore, which one may possess, does not form a part of the merit which gives a right to distinction, neither of the demerit which denies the high consideration of the community. The people, therefore, have no right to demand, as a qualification for office, a declaration of belief in the Christian religion. It may be impossible for some minds to believe it as commonly understood; consequently, with them this condition would be an impossible one; and Webster was familiar with the principle of law, that all impossible conditions are void *ab initio.*

Another method of demonstrating the falsity of a doctrine, is by showing its pernicious influence; for error always works wrong—truth, never. That the qualification in question would be injurious in its tendency, is seen in the temptation it affords for concealment of real views, and the declaration of belief in doctrines which are felt to be false. This is a species of lying destructive of good character. It also works injury to religion itself, by filling the church with hypocrites. True religion flourishes best among the truly free. It is remarkable, that Webster, so late as 1820, should be found defending a principle so hostile to private liberty.

The right of suffrage was another question much discussed in this convention; and in connection with it, the right which property should hold in the institution of the Senate. The question, whether the senators should be apportioned according to the population, or the property in each district, was warmly debated.

On this Mr. Webster remarked:—

"But, sir, I take the principle to be well established by writers of the greatest authority. In the first place, those who have treated of natural law have maintained, as a principle of that law, that as far as the object of society is the protection of something in which the members possess unequal shares, it is just that the right of each person, in the common councils, should bear a relation and proportion to his interest. Such is the sentiment of Grotius, and he refers, in support of it, to several institutions among the ancient states. Those authors who have written more particularly on the subject of political institutions, have, many of them, maintained similar sentiments. Not, indeed, that every man's power should be in exact proportion to his property, but that, in a general sense, and in a general form, property, as such, should have its weight and influence in political arrangements. Montesquieu speaks, with approbation, of the early Roman regulation, made by Servius Tullius, by which the people were distributed into classes, according to their property, and the public burdens apportioned to each individual, according to the degree of power he possessed in the government. * * * One of the most ingenious of political writers is Mr. Harrington; an author not now read as much as he deserves. It is his leading object, in his *Oceana*, to prove that power naturally and necessarily follows property. He maintains that a government founded on property, is legitimately founded; and that a government founded on a disregard of property, is founded in injustice, and can only be maintained by military force. 'If one man,' says he, 'be sole landlord, like the Grand Seignior, his empire is absolute. If a few possess the land, this makes the Gothic or Feudal Constitution. If the *whole people* be landlords, then is it a commonwealth.' 'It is strange,' says Mr. Pope in one of his recorded conversations, 'that Harrington should be the first man to find out so evident and demonstrable a truth, as that of

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property being the true basis and measure of power.' In truth he was not the first. The idea is as old as political science itself. It may be found in Aristotle, Lord Bacon, Sir Walter Raleigh, and other writers. Harrington, however, seems to be the first writer who has illustrated and expounded the principle, and given to it the effect and prominence which justly belong to it.* To this sentiment, sir, I entirely agree. It seems to me to be plain, that, in the absence of military force, political power naturally and necessarily goes into the hands which hold the property. In my judgment, therefore, a republican form of government rests not more on political constitutions, than on those laws which regulate the descent and transmission of property. Governments, like ours, could not have been maintained, when property was holden according to the principles of the Feudal System; nor, on the other hand, could the Feudal Constitution possibly exist with us. * * * Our New-England ancestors brought hither no great capitals from Europe. * * * They came to a new country. * * * Their situation demanded a parcelling out and division of the lands; and it may be fairly said, that this necessary act fixed the future frame and form of their government. * * * The consequence of all these causes has been, a great subdivision of the soil, and a great equality of condition; the true basis, most certainly, of a popular government. 'If the people,' says Harrington, 'hold three parts in four of the territory, it is plain there can neither be any single person nor nobility able to dispute the government with them; in this case, therefore, except force be interposed, they govern themselves. * * * The purest government, if it could exist, would not be long acceptable, if the tendency of the laws were to create a rapid accumulation of property in a few hands, and to render the great mass of the population dependent and pennyless. In such a case, the popular power must break in upon the rights of property, or else the influence of property must limit and control the exercise of popular power. Universal suffrage, for example, could not long exist in a community, where there was great inequality of property.† The holders of estates would be obliged, in such cases, either in some way to restrain the right of suffrage, or else such right of suffrage would, ere long, divide the property. In the nature of things, those who have not property, and see their neighbors possess much more than they think them to need, cannot be favorable to laws made for the protection of property. When this class becomes numerous, it grows clamorous. It looks on property as its prey and plunder, and is naturally ready, at all times, for violence and revolution. It would seem then to be a part of political wisdom to found government on property; and to establish such distribution of property, by the laws which regulate its transmission and alienation, as to interest the great majority of society in the protection of the government. This is, I imagine, the true theory and the actual practice of our republican institutions. * * * This question has been argued as if it were proposed only to give an advantage to a few rich men. I do not so understand it. I consider it as giving property, generally, a representation in the Senate, both because it is just that it should bear such representation, and because it is a convenient mode of providing that *check*, which the constitution of the legislature requires. I do not say that such check might not be found in some other provision; but this is the provision already established, and it is, in my opinion, a just and proper one. I will beg leave to ask, sir, whether property may not be said to *deserve* this portion of respect and power in the government? It pays, at this moment, I believe, *five-sixths* of all the public taxes;—*one-sixth* only being raised on persons. Not only, sir, do these taxes support those burdens, which all governments require, but we have in New-England, from early times, holden property to be subject to *another*

* With regard to the power of authority, or the blind veneration of, and obedience to the great ones of the past, Mr. Webster might have read a lesson from Bentham, an old living writer at the time this speech was made, and who, though an apologist of monarchy, was, nevertheless, a reformer in many things. He speaks thus pointedly on this subject: "Instead of being guided by their own judgment, the men of the nineteenth century shut their own eyes, and give themselves up to be led, blindfold, by the men of the eighteenth century. The men who have the means of knowing the whole body of the facts, on which the correctness and expediency of the judgment to be formed must turn, give up their own judgment to that of a set of men entirely destitute of any of the requisite knowledge of such facts."

† In our cities and manufacturing towns, where there is great inequality of property among the people, universal suffrage exists in name and *de jure*, but does not exist *de facto*, or in practice; as, witness the frequent instances of the monied employer driving the poor employees, like muzzled animals, to the polls to vote his dictation.

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great public use,—I mean the support of *schools.* * * * I will now proceed to ask, sir, whether we have not seen, and whether we do not at this moment see the advantage and benefit of giving security to property by this and all other reasonable and just provisions? The constitution has stood on its present basis forty years. Let me ask what State has been more distinguished for wise and wholesome legislation? I speak, sir, without the partiality of a nation, and also without intending the compliment of a stranger; and I ask, what example have we had of better legislation? No violent measures, affecting property, have been attempted. Stop laws, suspension laws, tender laws, all the tribe of these arbitrary and tyrannical interferences between creditor and debtor, which, wheresoever practiced, generally end in the ruin of both, are strangers to our statute book."

Again, in establishing the conditions on which the elective franchise could be exercised, Webster said:—

"I shall object to giving up all pecuniary qualifications, though I would be content with the smallest tax. There is a great difference between this and universal suffrage."

In the debate—of whose spirit the above remarks of Webster are a fair representation—was betrayed a remarkable though common deficiency of one of the brightest virtues, to wit: Faith in man. Confidence in the intellectual and moral capacity of human nature is essential to advancement in social well-being. No one, who denies his species goodness by nature, can put forth a hearty effort for the improvement of humanity. He is a skeptic as to his neighbor, and though he may not be aware of it, is a skeptic also as to his God. Want of confidence in the creature is want of confidence in the Creator. The venerable John Adams, on whose head had slumbered eighty winters, although he is entitled to the undying gratitude of freemen for the great power and zeal he brought to the cause of liberty in her darkest hour, appeared in a very unfavorable light in 1820, while opposing, in this convention, the extension of free principles, on the ground that they would enable the poor to gratify their knavery in "voting us (the rich) out of our houses." Webster and many others, in their arguments, virtually uttered the same sentiment of a darker age—the same slander upon humanity. There is no confidence to be placed in the philosophy of him who permits his distrust of mankind to influence his reasoning.

The argument of Webster, that property is the true source of power, and ought to enter into the foundation of every government, can be but lightly regarded by the most primitive minds of the present day. If it was a prevalent doctrine in 1820, twenty-eight years have clearly revealed its absurdity. On this subject Webster, thought by multitudes to be, at least, the son of a prophet, could not have been in the spirit of prophesy, else he could have looked more clearly into the heart of a quarter of a century.

What! is a man to suffer social and political annihilation because he is poor? Shall the benevolent man, who has divided all his substance with the needy, be compelled by law to sit at the footstool of the avaricious man, who has spent his days in oppressing his fellows? The latter wounds, while the former heals; he takes bread from the hungry, while the other feeds the destitute. Which is the most worthy character? And yet Webster supported the constitutional provision that would place the good man at the mercy of the cruel—which would sanction the foul distinction which wealth gives its possessor.

The distinguished lawyer, orator, and statesman, whose opinions we are reviewing, contended for the institution of the Senate on the basis of property, because, as he said, it is just it should have power in the gov-

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ernment, according to its value to society; because it would be liable to the invasions of the poor, if not enabled by the organic law to protect itself, and because it would thereby furnish an invaluable check upon the power of the House, where men and not money were represented.

The rich man is intrinsically no better than the poor man; and yet this proposition implies and presupposes an increase of merit according to the amount of property possessed. It is giving to money the power which belongs only to intelligence. It virtually confers citizenship upon the beast of the field. It is a tribute to the golden god, which is too generally enshrined in the human heart.

A few facts will show the consequence which Webster proposed to concede and confirm to money at the expense of man. The census of 1810 was made the basis of statistical calculation by the convention. From this it appears that in the counties of Suffolk, Norfolk, &c., the proposition would produce the following inequalities in the political standing of the citizens, to wit: the population of 34,381, in Suffolk, would send 51 members to the House of Representatives, had it been instituted like the Senate, because it paid $21,022 taxes; while Norfolk, with 36,245 inhabitants, would have only 17 representatives, because, forsooth, Norfolk is not so rich in the gifts of nature as Suffolk, and, consequently, the people are unable to pay more than $6,692 taxes; and Worcester, with a population of 64,910, could send only 31 representatives, because she paid only $12,749 taxes; and Berkshire, with 35,907 inhabitants, could have 13 members in the House, because she paid but $5,322 toward the support of government. Contrast Suffolk with Berkshire. The former, with 34,381, and the latter with 35,907 people, while the one could send 51, and the other only 13 members to the House—thus giving to one man in Suffolk about four times the political power that is given to a citizen of Berkshire. Now, notice the people of these respective counties, and see whose sons are best qualified to maintain the dignity and discharge the duties of freemen. Noble Berkshire has, in spite of the law, vindicated herself before the world, and gained an undying fame for producing and sending abroad great men, through whom she is enabled to rule more than a whole state. Berkshire has contributed more to the mental greatness of the nation than any other county of the Pilgrim State —although Webster regarded her citizens as scarcely entitled to one-quarter of the consideration which belonged to those of richer Suffolk!

With regard to another reason, to wit: that property is a true source of power, which should be felt in the legislature, it is only necessary to remark, that this power is entirely illegitimate, because mind is the only true source of moral power. The opposite view is carrying the vulgar estimation of wealth into the constitution and laws, which should ever be so framed as to subserve the elevation instead of the degradation of mankind. It would also enable property, which panders to the avarice of man, and thereby brings wretchedness upon the masses, to increase its power *ad infinitum*, and thus increase the poverty and misery of the people.

In the debate on this subject, the Senate was called the "rich man's citadel," which would be properly checked by the House in which the people are represented. But let it be recollected that a majority of the members of the House would also come from the ranks of the wealthy, and thus property would be omnipotent in both branches.

Daniel Webster is an intellectually great man; but the great will err when they look to authority for opinions, and do not independently trace the truth from first principles. When, therefore, we find ourselves

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becoming mute and even thoughtless in the presence of great men, let us awake from the fascination that is creeping upon us, by recollecting that though they may be powerful in some respects, yet they may, by a deficiency in mental equilibrium, be actually inferior to more humble individuals in the perception of Truth.

AN ADVENTURE AT AN OPERA BALL.

I.

Come! the ball invites, the Opera House opens its doors! Come, thou motley, grinning, boisterous crowd, shake thy tinselled trappings, stretch out thy long arms, utter thy loud shouts, spur on thy tottering limbs! why dost thou linger? The field is open to thee—the saloon is splendid, the gilding sparkles, the lustres pour forth all their rays; the High Priest Musard and his Levites are at their posts! Hurra! the thunder roars, the orchestra has given the signal! In the boxes, in the galleries, ten thousand heads peer out in expectation; formidable rows of dancers range themselves in order of battle; all is ready. The masks are carefully fastened. I perceive in a corner, Public Morality, with a three-cornered hat upon its head. Attention! the comedy begins! Wild cries shake the saloon—they twist, they intertwine, they stamp—limbs are wrenched, eyes flash defiance, human forms meet in violent contact, wine-steaming breaths mingle with each other, a cloud of dust ascends. Courage! seek forgetfulness, happy mortals! Seize, as it passes, the pungent pleasure which is offered you! Leap upon this flitting prey, and devour it quickly! it may escape you! Above all, take good heed that the image of the morrow does not interpose between you and your transports! Alas, the morrow!—for thee, man of toil, it is some detested labor which consumes every hour of thy life; it is some vampire machine, which each day exhausts a portion of thy intellect!—for thee, artist, it is some sombre and chilly garret, whither thou must drag thy wearied limbs! It is the incessant, pitiless struggle—it is discouragement—it is the sacrifice of thy noblest cravings!—for thee, poor Magdalene, it is the continual deceit of thy caresses which must be renewed again; it is the bread which must be purchased by thy shame; it is the body which must be prostituted! Courage, then, one and all! Cast a veil over your wounds, and give vent to your gaiety, lest it stifle you!

Assuredly these gloomy thoughts did not disturb the handsome Gaston de Vargese, who was sauntering in the dressing-room, surrounded by a group of friends. He was a charming young man, although his pale face was already furrowed by wrinkles, which, most certainly, were engendered neither by grief nor by inexorable toil. He had never viewed life but upon one side, the lustrous, silken, gilded side; the reverse of the picture did not exist for him. Young, rich, without ideal aspirations, he might believe himself happy—negatively so, at least. We have just said that he was rich; let us explain; he was deeply in debt, and his entire patrimony had passed into the hands of the syrens of the theatre and of the public balls. This, indeed, is the lot usually reserved for these sultans of civilized society; and the ebb

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and flow of that wealth which returns to the daughter of the laborer, might even appear providential, if the purses of these fair sinners were not bottomless. Fortunately for our hero, he possessed an inexhaustible mine of gold, a Pactolus in the shape of an uncle. Consequently, the vexatious condition of his budget gave him but little uneasiness—the age of the worthy soul, (it was thus he designated him,) being quite encouraging for an heir. Thanks to this funereal perspective, he still found complaisant *Turcarets*, and he was enabled to continue his round of life, that is to say, to taste the various enjoyments reserved for some thousands of the wealthy, by our respected society. Heaven knows, too, with what ardor, with what enthusiasm, he plunged into the vortex of pleasure. On this night, especially, he and his friends had resolved to close the carnival by a master stroke, by a revel worthy of Sardanapalus. This resolution had already taken a beginning, for they had just eaten an excellent supper, washed down with a variety of the most exquisite wines. One could easily have divined this fact by their irregular gait, and their incoherent discourse, had not this state of things been in some sort habitual to them.

In order to understand to what a point of degradation young men of *family* have arrived, it is necessary, in the summer season, for example, to take a seat in front of the *Café de Paris;* there we can see the greatest names of the noblesse and of finance afford a spectacle, gratis, with some young flower girl, and indulge in immoderate laughter, while they utter obscenities at which even the customers of Paul Niquet would blush.

They were lounging then, causing the dressing-room to resound with their cries, calling after the female attendants, and indulging in impromptu jests, when a woman, dressed in a black domino, approached, and placed herself, suddenly, across their path.

There was something so noble and so resolute in her attitude, her eyes shone so brilliantly beneath her mask, that our *roués* were silenced, and they did not venture to demean themselves towards her with that license, which this bravado seemed to justify.

They soon, however, resumed their effrontery, and were about to crowd eagerly around the unknown, when, pointing to Gaston, she said:

'It is you, sir, to whom I wish to speak.'

'To me! is it possible!' exclaimed the latter, presenting her his arm.

'He is a lucky fellow, this Gaston!' cried his friends.

'It is a pity that she did not cast her handkerchief to him,' observed one of the number.

'Hark, here!' they all cried to him, 'do not forget that we sup together at the *Café de Paris;* try to bring your beauty with you.'

But Gaston was out of hearing. Hurried onward by the Unknown, he had already left the dressing-room. The two, hastily, descended the stairs, and made their way toward the peristyle. Here, a valet, who seemed to be waiting for them, hastened before them to open the door of a carriage. Gaston was both astonished and delighted.

'Where are we going?' he said to the Unknown.

'To my house,' replied the latter, briefly.

The valet let down the steps.

'I exact from you,' she resumed, 'the most perfect silence on the way. Do you swear to observe it?' 'I swear it!' said Gaston.

The Unknown entered the carriage first; the young man followed her. They drove away at full speed.

All this had passed so rapidly and unexpectedly, that Gaston, impelled by a blind impulse, had not conceived the slightest suspicion as to the nature of his adventure. But when the first moment of stupor had passed, and

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he found himself in profound darkness, rocked by the monotonous rolling of the carriage, deafened by the noise of the wheels upon the pavement, he asked himself what all this could mean! 'If I were the victim of some frightful machination,' he thought to himself! He recalled to mind the dry tone, the haughty mien, the peremptory gesture of his companion, and they appeared but little in harmony with the usual signs of a tender passion. His ideas, however, soon took a different direction, and the cloud became tinged with rose again.

Although the Unknown had not removed her mask, Gaston had been able to make various discoveries, which were all tokens of beauty and of youth. Young and beautiful! These magic words completely dissipated his fears, and, at last, he found them perfectly ridiculous.

As strict silence had been enjoined upon him, he could do nothing but wait patiently for the *denouement* of his adventure; he took this resolution, therefore, and sinking his head upon the soft cushions, with an air of beatitude, he invoked the most smiling images.

His imagination had scarcely displayed its wings, when he started up, as an idea suddenly flashed across his mind. 'Fool, idiot!' he thought, striking his forehead with his hand, 'she has forbidden me to speak, it is true, but nothing more; she has not prohibited gestures, which have their eloquence also—let us try!' And, applauding himself for this ingenious idea, he was about to approach the Unknown—but the carriage stopped.

A large gate-way was now thrown open. A man of athletic frame, without livery, and holding a light, was waiting beneath the arch. The appearance of this problematical personage greatly displeased Gaston, and his fears were aroused again. They crossed a court-yard, and reached a flight of steps. When here, the Unknown said in the same brief tone which had already sounded so harshly in Gaston's ears:

'Ascend, sir.' 'Come, come! my fair one!' cried the latter, 'whither are you leading me?' 'Are you afraid?' said the Unknown.

'*Ma foi*,' said Gaston, 'you must own that I have every reason to be so; your conduct is admirably adapted to excite suspicion.'

'You need have no fear of violence,' replied the Unknown, in a softer tone; 'I swear it!'

This promise was given in such a tone of frankness, that Gaston felt entirely re-assured.

'That is enough!' he said.

And mounting the steps, he almost regretted that he had not a bandage over his eyes, which he would have found far more poetical.

When they had reached the landing place, their guide opened a door. They crossed an antechamber and entered a tolerably large saloon, furnished with great simplicity, and hung with gloomy tapestry. A bright fire blazed upon the hearth, casting its reflections, here and there, upon the walls and carpet.

The guide put down his light.

'M. de Varjese,' said the Unknown, 'we are here. I will leave you for a few moments.'

And she disappeared behind a piece of tapestry. The guide left the apartment by a door on the opposite side.

Gaston found himself alone.

He collected himself, and endeavored to arrange his ideas. He raised anew the problem which had occupied him, to wit: whether he ought to consider himself the victim of treachery. After having revolved the subject in his mind, the fear of a snare appeared more absurd than ever. The impulse which prompted the Unknown could be nothing but love. Her air, in

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truth, little resembled that of a daughter of Eve, whose aim is amorous enticement. But she had, perhaps, a fashion, peculiar to herself, of declaring her love! Then, besides, he had conducted himself so deplorably towards her in the carriage! He had so awkwardly interpreted the prohibition, so replete with meaning, which she had imposed upon him! Who could tell? His unaccustomed reserve had, perhaps, prejudiced her against him. This last suspicion filled him with anger, and he vowed not to subject himself a second time to the reproach of indifference, which she could so justly apply to him.

While he was occupied with these reflections the Unknown re-entered the apartment.

She had laid aside her domino, but had not removed her mask. She was very beautiful thus. Her jet black hair, arranged in two rich, waving clusters, fell softly upon her shoulders. Her form, slender and flexible, now, freed from an ungraceful covering, appeared in all its charms. Her small, beautifully arched foot, scarcely touched the floor. Her whole figure wore an air of blended power and grace, which gave rich promise. Gaston gazed upon her in wonder. Still, he was unwilling to keep within the bounds of an admiration purely passive. Recalling to mind the resolution which he had taken, he exclaimed with a gay and easy air:

'How! charming creature! you have not laid aside this hateful mask!'

And he approached to clasp his arm about her waist. But the Unknown drew back in haste, measuring him with a glance of pride.

'The d—l!' said Gaston, without allowing himself to be disconcerted, 'here is an attitude truly tragic!'

The Unknown did not reply. He then added in a tone of still greater insolence.

'Is it, perchance, fair mask, that you are rehearsing a part?'

These words were received with the same silence.

He resumed, with an air of irony:

'Most positively, whoever you may be, I warn you that these airs are very disagreeable, and by no means suited to the heroine of a masked ball.'

The Unknown was still silent, and continued to gaze upon him steadfastly.

'Come, come!' said Gaston, giving way to anger, 'am I the dupe of a trick?'

'No, sir,' replied the Unknown, in a slow and measured tone, 'you are the object of an act of justice which is about to be accomplished.'

Gaston gazed upon her at first with disquietude. Then he burst out into a fit of constrained laughter.

'*Parbleu!*' he exclaimed, 'this is growing comical; and I congratulate you upon the admirable manner in which you sustain this serious tone.'

'Laugh, sir! your mirth will be of short duration.'

'Bravo! and you say that I am menaced with an act of justice?'

'Yes.' 'With some terrible chastisement?' 'Yes.'

'Good God! would you propose a duel to me?'

'I repeat, it is a punishment which will be inflicted upon you.'

'But who has passed the sentence?' 'I.' 'And who will execute it?' 'I.'

'Always I.' 'Myself, I say, and that suffices'—as in Medea. It is very fine. But come! you have condemned the accused without a hearing.'

'A hearing is useless.'

'Expeditious justice this, in truth. May it not be that there are extenuating circumstances?' 'I will see by and by.'

'Bah! I have every reason to believe that you will suffer yourself to be softened.' 'It may be so; that will depend upon yourself.'

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'Upon me? what must I do?' 'Be a man.' 'What do you mean by that?' 'Be an honest man.'

Gaston frowned.

'You are becoming impertinent, fair mask.' 'Is it your vanity, or your conscience, that prompts that answer?'

'It concerns you little,' said Gaston, greatly exasperated. 'I warn you that you are growing insulting, and what is worse, very tiresome Who are you, and what would you?' 'You are about to know, M. de Varjese.'

And by a sign she directed him to take a seat.

'But, in the first place,' she resumed, 'I have a short story to narrate to you, or rather, to recall to your remembrance, for you are not ignorant of it; you are perfectly well acquainted with the hero.'

Three years ago, during a night of the carnival, a poor woman lay dying of cold and want upon her bed of woe. Her malady, and it was a serious one, was the result of severe and incessant toil, which had exhausted her strength, as well as of her terrible anxiety for the future fate of her daughter. The latter, at the moment which I recall to you, was watching by her mother's bed side, and endeavoring to console her. These two women had seen better days; the one the wife, the other the daughter of a merchant, Jacques Rémond, and had enjoyed a moderate share of the comforts of life. Unfortunately, unexpected reverses, the sudden bankruptcies of creditors, fell upon their sole protector, who did not survive his ruin. They were then obliged to have recourse to their own industry to support themselves by daily toil. Oh, it was a sad struggle against poverty!—a ceaseless, merciless struggle! Often their suppliant hands remained for months in a state of forced inactivity. Then, suddenly, as if by a mockery of fortune, work poured in upon them in profusion; now they must remain chained to their seats, both day and night, and labor unremittingly, in order to finish their tasks at the appointed hour, until, at last, their frames grew bent, their heads dizzy, and the needle danced before their aching eyes. After all, better the evil of that time than of the other, than the evil of hunger!

'But I will not dwell upon details, that are very wearisome, doubtless, for you,' said the Unknown, with a smile of supreme contempt, 'and I will hasten to an event which cannot fail to interest you.

'As I have said, the mother was dangerously ill, and the daughter watched by her pillow. The physician, who attended her gratuitously, had just left the chamber, after informing the daughter that the danger was very imminent, and that a crisis alone offered some slight chance of safety. To this end he had prescribed various indispensable medicines. But their store of money was exhausted. The young girl knew this, and she tried to think of some means to obtain the sum which might save her mother's life. In the midst of her anguish, she heard joyous sounds echo in the street. A sudden thought entered her mind. At this moment, her mother, overcome with fatigue and want of sleep, had fallen into a slumber. The young girl judged this to be the favorable moment. She gently pressed a kiss upon her forehead, glided stealthily from the chamber, hastily descended the stairs, and reached the street. When here, she took refuge in the recess of a gateway, and giving way to her grief, she wept bitterly. The resolution which she had taken terrified her—and still it was her sole resource—how could she hesitate? She walked onward, and soon stood before the Opera House. There was a ball there, as on this night; and as the day began to dawn, a crowd of masks poured from the doors. She gazed at the crowd, and perceiving only their rude and boisterous gestures, their brows stern and anxious, she felt her courage fail her.

'But, suddenly, a man appeared before her, who seemed to differ from the

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rest, by a certain air of frankness and mildness. A ray of hope returned, and holding out her hand, she said to him: 'For my sick mother, sir!'

Gaston started. The Unknown continued:

'At these words he turned; she stood before him, suppliant, her forehead bent and humble. After having scrutinized her, he made a sign to his companions, and said to the young girl, as he led her onward a few paces:'

'Your mother is sick, then?' 'Yes, sir,' she replied, without venturing to raise her eyes to him.

'And you are poor! you apply to me for aid?' 'Yes, sir.'

'You are right; a pretty woman has never asked a favor of me in vain.'

She raised her head, and—she knew not why—that glance and those words chilled her very heart. He added:

'Unfortunately I have not money enough about me; but here is my address; I reside a few steps from here. Ascend to my rooms; you will there find my *valet de chambre;* I will be with you in a moment.'

'Enough,' cried Gaston, pale and anxious. 'Who, then, could have informed you of these details?'

'Do not interrupt me!' said the Unknown, in a tone of authority. 'You will soon see still more clearly, if I have been well informed.' And she continued:

'Upon this man's promise, the young girl walked, or, rather, dragged herself, toward the dwelling indicated to her, for she felt as if every one was laughing, and pointing at her with the finger. The thought that she was proceeding alone, by the faint light of dawn, over a muddy pavement, to an unknown house—to the apartments of a man who was a stranger to her—and this, while her mother was at death's door—the thought was agonizing, and filled her bosom with terror and with shame.'

At last she ascended the stairs, and the domestic admitted her, after several questions addressed in a brutal tone. She took a seat, trembling with feverish agitation, in the cold antechamber. After some moments of anxious suspense, the young man entered. He appeared surprised at seeing the young girl, and angrily reproved his domestic.

'Know,' he said to him, 'that only such as you are fit to shiver in antechambers. As to a woman, provided she is pretty, she has a right to admission anywhere.'

He then opened a door, and invited the young girl to enter before him.

'Oh, sir,' she said, with tears in her eyes, 'my mother is dying; it is not necessary for me to enter; give me what you please.'

'What!' he replied, 'you are afraid of me?'

She at once passed on in the hope of abridging the interview. He led her across a saloon, and they entered a small, gloomy chamber. They had scarcely crossed the threshold, when he closed the door and locked it.

'In pity, madam,' implored Gaston, 'do not complete the tale!'

The Unknown did not reply, but continued:

'The young girl was stupefied at this act of violence, and said, clasping her hands: why have you fastened this door?'

He did not reply, but coolly took a few pieces of gold from his pocket, and jingled them; then gazing at her with an insolent smile, he said:

'Service for service!'

She understood him, and uttered a cry of horror.

'Why, you are a wretch! my mother is dying!'

'Ah, bah!' replied the villain, shrugging his shoulders, 'beggars have always some plea of that sort—a mother, a child, an uncle, a cousin, afflicted with all kinds of maladies! Come, come! do you think me stupid enough to be cajoled by your nonsense?'

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'It is truth,' said the young girl, sobbing, 'you can satisfy yourself of it.'

'I am much obliged to you!' Well, if it is true, you have an additional reason to try to save your mother by not repulsing me; it will be a proof of filial piety.'

'Wretch! let me pass!'

And she tried to force the door, but her efforts were useless.

Then, she had recourse to prayers, to tears, to supplications, to move this man; she then tried menaces, imprecations—all were useless; the wretch replied to her prayers with irony, to her threats with laughter. At last, wild with terror, thinking of her mother, who was calling upon her, perhaps, at this moment, in the agonies of death, she took a desperate resolution.

'You will give me gold?' she said wildly, 'let me see how much.'

'Well said!' cried the miscreant, with a sneering laugh.

And he showed her a few pieces of gold.

'It is not enough,' she said, with a bewildered air, 'shame should be better paid.'

'Oh! oh! what cupidity! Well, be it so; I am never niggard where it concerns my fancies.'

And he approached a secretary.

At this moment, the young girl darted, with a bound, toward the window, opened it, and disappeared.

She fell upon the pavement in a swoon. When consciousness returned, she heard laughter and murmurs; these sounds came from a hideous crowd, who, having witnessed this act of despair, attributed her swoon to drunkenness, and pressed around her, loading her with insults. She endeavored to rise, but was unable. Then the cries and hootings were redoubled. Fortunately, a man stepped from the crowd, a man of lofty stature, dressed in a plain blouse, whose features were stamped with benevolence and frankness. He raised her in his arms, and exclaimed, in a full, clear voice:

'Stand back, scoundrels! The first one who hinders me is a dead man!'

The crowd fell back in alarm, and he led the young girl onward.

The latter, although seriously bruised on one knee, wished to proceed on her way, at once, notwithstanding the remonstrances of her protector, who declared that it was impossible. But when she had told him that it was to return to her sick mother, who was alone without attendance, he comprehended the urgency of the case, and proposed that she should take a carriage. She refused, stammering:

'Perhaps,' he said, 'it is because—come, be frank! there is no disgrace in it! you have no money?'

She made a sign in the affirmative.

'Is it for that reason that you refuse?' he rejoined. 'But I, I have some.'

And with an air of triumph, he drew from his blouse a leathern pouch, which contained some small coin. At this sight the young girl felt her heart beat, and a sudden thought crossed her mind.

'Oh, sir, oh, sir,' she cried, clasping her hands together, 'my boldness is very great, but you seem so good!'

'What is it that you wish me to do? Speak, freely, mademoiselle.'

She then informed him of her present poverty, and of the horrors of her situation.

'And why did you not tell me this, sooner?' replied this excellent man. 'Quick, let us hasten to purchase the medicines that your good mother needs. If I have not money enough, the apothecary will trust me for my honest face! Or, I will leave him my watch in pledge.'

The young girl was tempted to sink upon her knees before her benefactor. They entered a *fiacre*, and were soon provided with the necessary medicines.

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'When she reached the door of her chamber, the young girl paused for a moment, and bethought herself of some pretext for her absence. She placed her ear against the door, holding her breath, and heard nothing. At last she entered—a terrible spectacle met her eyes! her mother lay with her head over the edge of the bed, struggling in the agonies of death! At this sight a piercing cry broke from her lips—the dying woman heard it, and recognized her daughter. Then, she summoned her with a glance, and opening her arms, she had but time to clasp her in a last embrace.

'This, M. de Varjese, is the preliminary recital which I had to rehearse to you. Now, the man who detained the young girl, and who hastened her mother's death, that man was you. The young girl was myself.'

With these words the Unknown removed her mask.

'Yes, it was I, Honorine Rémond, your victim!'

Gaston stood confounded, stupefied.

'Madam,' he said, stammering, 'I beg you to believe that I have repented often, very often, of my fault.'

'Indeed,' replied Honorine, with an air of sovereign contempt, 'and what have you done to expiate it?' 'What could I do? I was ignorant of—your abode.'

'Ah! this, then, was the cause of your inaction? Nothing is left me then but to pronounce you innocent. Come, come, no hypocrisy! You have not wished to find me, because I would have been a living token of your infamy! And, besides, no feeling of remorse has disturbed you, for it has never entered your heart. Ah, if, in truth, this remembrance had stirred in your soul, you would have listened to the voice of conscience, and you would have said to yourself: 'I have refused alms to this young girl, who implored it for her mother, and I have endeavored, besides, to degrade her; I have been doubly infamous; for I have sinned at once against the law of justice and the law of love. Against the law of justice, which commands every man, whose two hands are full, to open, at least, one of them, to the poor who implore aid; to the law of love, which recoils in horror from all approach, which is not mutual and voluntary. Well, then, I will repair my crime, as much as lies in my power. Without doubt, this young girl is not the only one who is a prey to poverty; many others are exposed to the machinations of ignoble passions. I must uncover all these wounds; I must probe them; and my intellect, and a part of my life and wealth must be consecrated to their cure.' This is what you would have said and done, if repentance had truly touched your soul. But no! you have not even sought to throw off your monstrous egotism; you have not tried to tear yourself from your idle and ignoble mode of life—a life which is but one prolonged robbery committed against your fellow men, and against your God! Therefore, as I have told you, M. de Varjese, the chastisement which I have in store for you will be terrible!'

'Again,' replied Gaston, with agitation, 'it is time, madam, that you should tell me in what this chastisement, with which you menace me incessantly, consists.'

'You shall be satisfied,' said Honorine, sternly, 'it is this:

'M. Gaston de Varjese, from the present moment, horses, carriages, balls, theatres, sumptuous apartments, rich garments, no longer exist for you. All this luxury, in the bosom of which you have always lived, all this splendor, all these enjoyments must be renounced. All that which has made up your strength has disappeared. M. de Varjese, you see yourself disarmed, subjugated, powerless; your place is now among the slaves of hunger—you are poor! The heritage of your uncle upon which you counted—'

'Well!' exclaimed Gaston. 'This heritage is mine. Your uncle has

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lately died, leaving me his sole heir.' 'It is false!' cried Gaston, in affright.

'Here are documents which will render you less incredulous,' said Honorine, placing in his hands some papers, 'a copy of the will, a certificate of your uncle's decease, various letters which he has written to me; do you believe me now?'

Gaston perused these papers, and as he read, he grew more pale. He returned them to Honorine, and seized with a dizziness, he sank upon a chair to prevent himself from falling. Every drop of blood in his veins had rushed to his heart. There was a momentary silence.

'And how came it,' resumed Gaston, with a bewildered air, 'that he bestowed this fa or upon you?'

'In the first place,' said Honorine, 'because I have tended him with filial care, and because he has judged me worthy to be the dispenser of a brilliant fortune. In the second place, because I have revealed to him your infamous conduct. Not content with disinheriting you, he wished to denounce you to justice.' 'Indeed!' said Gaston, with a steadfastness of gaze that was truly frightful. 'And how did you become acquainted with him?'

'Strictly,' replied Honorine, 'I might refuse to answer your questions, but I pity your wretchedness. Know, then, that received by a relative after my mother's death, I quitted the province, to dwell in the city in which your uncle lived. I heard his name mentioned, and I went to him, and rehearsed my complaints against you. From this hour a tender friendship grew up between us which never changed.'

'That is plain enough from the result,' replied Gaston, whose dizziness was fast disappearing; 'do you know, madam, that you are endowed with an admirable talent for wheedling weak old men, and for snapping up inheritances?' 'Not a word more,' said Honorine, raising her head proudly.

But Gaston continued furiously:

'In cheating their legitimate heirs—in surrounding with cares, to say the least, suspicious, the sick bed of a dying man—'

'Your words are insulting, sir,' said Honorine, interrupting him.

'Insulting,' replied Gaston, who had risen, his face purple with feverish emotion, 'because I remind you of your exploits! Why, here is a campaign that does you great credit! and I counsel you to exercise your talent anew upon some other old man!' 'Wretch!'

And Honorine pulled the string of a bell. A man appeared; it was the same who had introduced Gaston into the house.

'Jean,' she said, 'you know who this man is? Well, he dares to insult me.'

Jean advanced a step, as if he would rush upon Gaston. Honorine restrained him.

'No!' she said, 'but as I have still something to say to him, remain near me; and at every insult which passes his lips, you will strike him.'

Jean crossed his brawny arms upon his breast, and fixed his clear and piercing eyes upon Gaston. The latter felt his impotence, and said with fury:

'Ha! you have a worthy champion in this man!'

'This man,' replied Honorine, 'is the one who protected and succored me, when he found me lying upon the ground, beneath your window; it is to this man that I owe the sad joy of embracing my mother, before she breathed her last sigh; therefore I love him, I admire him; for he is generous and kind, while you are selfish and corrupt. Enough, M. de Varjese; I have informed you of your ruin; the chastisement is not yet ended.'

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Gaston smiled bitterly, with an air of defiance. Honorine continued:

'All the claims of your creditors, who have supported you in your unworthy life, I have collected in my hands; they give me the right to cast you into prison. I have a power over you, therefore, almost without limits.'

Gaston gazed upon her with alarm, and asked himself, if all were not a frightful dream.

'But I will not be so inexorable,' continued Honorine, with more mildness; 'a means is left by which you may escape imprisonment, and obtain a portion of your fortune.' 'Can it be?' cried Gaston, his eye lighting up with hope. 'Yes,' she said, 'a means which has been suggested to me by my benefactor, by your uncle himself, on his death-bed; a means which I appreciated and welcomed with gratitude, for it responded to my own sentiments, to all my recollections, to the indelible remembrances left upon my mind, by years of mourning and of bitterness, by images of want and of oppression.' 'Well, what is it then?' stammered Gaston, anxiously.

Honorine continued, in a voice which slightly faltered:

'M. de Varjese, for the space of five years, you must labor at a trade.'

Gaston started with a gesture of surprise and terror.

'For the space of five years,' repeated Honorine, 'you must labor at a trade; you must work in the shop of a carpenter, with whom I am acquainted. At the end of this time, if your conduct is noble and worthy—and I mean myself to be the sole judge—if the improvement in your character that I desire, that I hope for, is accomplished, you will find, again, your fortune and your enjoyments! But if you refuse, if rude and incessant toil affrights you—and it might well be so—if you choose a prison—then also, for the space of five years, you will remain there, and upon leaving it, frightful poverty will await you at the door. Choose!'

'What?' exclaimed Gaston, sinking his head, 'for five years to labor—to labor without relaxation, with loathing, with horror—my hands lacerated by rude tools—beneath a scorching sun, or in a freezing atmosphere. After the toilsome day, to quit my chain, to be free for a few hours; but to drag onward with pain my aching limbs, and to have strength and thought for naught but sleep. To bid adieu to all grace, to all elegance, to clothe myself in coarse garments, from the touch of which the delicate hands of a woman would shrink. Oh, it is horrible!'

'It is horrible!' said Honorine, 'and still it is the lot of millions—and that not for five years, but for a life time! But you, at the expiration of this period, can find fortune and pleasure. They can scarcely hope for aught but destitution and death.'

'But these beings,' cried Gaston, 'they have not, like me, the image of the past, smiling in irony upon them to augment their misery.'

'In truth,' said Honorine bitterly, 'they need not fear this painful contrast! They cannot look back upon days of opulence and festivity; these have never shone for them! But you can reflect upon the resolution which you will take. I leave you until to-morrow to decide.'

'To-morrow! so soon?'

'If your mind and your heart were less corrupt,' replied Honorine, indignantly, 'you would understand the meaning of this lesson, and you would not hesitate. But let us end this interview!'

'So, then,' rejoined Gaston, in despair, 'you are pitiless!'

'I am just and kinder towards you than you are yourself.'

'Five years! five years!' repeated Gaston. 'My good Jean,' said

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Honorine, turning her head, 'conduct this gentleman to the carriage again.'

And Gaston quitted with rage the house which he had entered rich and powerful—which he left miserable, and a slave.

II.

Some time after the preceding scene, the following notice appeared in a journal:

'Yesterday one of those frightful accidents took place, which are perpetually recurring, and which so deeply afflict the friends of the working class. An unfortunate carpenter, while at work upon a scaffold, fell back upon the pavement. His death was instantaneous.'

This carpenter was Gaston!

Submitting to the terrible alternative, which has been offered him by Honorine, he had chosen the life of a mechanic. He had resigned himself for five years to incessant bodily toil, and to bitter poverty—to thraldom of the mind, and to martyrdom of the body—those two constant companions of the poor! But the sad train of evils was not yet complete. The unhappy Gaston had not counted upon a third scourge, which descends upon the field of labor, and assumes various disguises to strike down its victims he had not counted upon—Death!

On hearing these tidings, Honorine was painfully affected. She had hoped for Gaston's reformation, and it was her wish to restore him a portion of his heritage before the time assigned.

To-day, mistress of an immense fortune, brilliant with youth and beauty, Honorine leads a life remarkable for its simplicity. The poor might, perhaps, explain this mystery. This conduct, and the manner in which, prompted by her noble heart, she speaks of the miseries and crimes of society, excite the most contradictory rumors in the world. Many say, ironically, that she is mad; some admire her, and believe her a saint.

HEART JOYS.

The disappointments that did drape my youth
And heavily upon my spirit lay;
The bitter fennel that entwined my way
And cast upon my heart the shades of Ruth;
The many failings I have known of truth,
And Love, and Friendship—gnawing cares,
Toils, tears, bereavements—inward aches of years,
That teach me life's realities, in sooth
All have not banished from my bosom Hope,
Or drank the freshness of its youthful bloom—
There are some feelings grief cannot entomb—
Joys that to common day-beams never ope—
My spirit feeds on inborn blessedness,
And still hath faith in Truth, and Love and Happiness.

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CHALCAHUAL.

CHAPTER II.

Upon the evening after their visit to Lesa, Cortes and some of his officers were long at their evening feast; it had been unusually prolonged, and they had done full justice to the delicacies the Aztecs provided them with. They had feasted upon the most delicate game, and upon fresh fish which had swam in the Gulf of Mexico the day before, and which had been brought to the capital by swift-footed carriers, who were stationed at different posts all over the land; and who, as their distance to run was short, and their numbers great, kept up a system of intercommunication, equal in its effect to our steam made-use-of facilities of intercourse and interchange. This game and fish, as well as meats of various kinds, were prepared in various and highly acceptable ways, and kept hot by chafing dishes, while there were not wanting sweetmeats and pastry. There, too, was the delicious chocolate, which is described as being "a potation of chocolate, flavored with vanilla and other spices, and so prepared as to be reduced to a froth of the consistency of honey, which gradually dissolved in the mouth." Then there was, beside, the intoxicating pulque and fruits in abundance from the most opposite regions.

Rejoicing in plenty, astonished and delighted with the wealth and plenty everywhere seen, the Spaniards talked of their distant Spanish home and of the various wonders of their present abode. Some that day had visited the market-place and the great temple, and the recital of all they saw was eagerly listened to by others. Throwing away care, they seemed only to rejoice in their present ease, as if it could endure forever —as if there were no enemy to fear, no courage to revenge indignities already inflicted upon the Indian, as well as to avert those they meditated. But with Cortes it was different; his mind was ill at ease, and the recklessness of his comrades only made care eat into his peace the more. He saw that his followers were rapidly sinking into sloth and a feeling of security, which he knew to be the security of those who tread upon a snare; to him the sky was filled with clouds and strange signs; he knew that his rude lawless soldiers would soon bring about anger, strife, and quarrellings among the people into whose very midst they had thrust themselves, and he keenly felt the daring of bringing as their allies the very foe of the Aztecs, the Tlascalans; and he saw that, seeing this foe in the very heart of their proudest city—nay, even caring for their wants as guests, would set on fire the blood of the Aztecs. He had brought with him about seven thousand of these Tlascalans, while the number of his own white men amounted to about five hundred. Even could they live thus quietly, the ambition of Cortes would be far from being satisfied. His ambition was to rule over this proud nation, to gain their treasures, to make them slaves of his will; but upon the evening I speak of he allowed no frown or anxious wrinkle to show his disquiet; he buried it deeply, for he felt the necessity of maturing some plan before he roused his sleeping warriors, and he thought it likely a rest was perhaps what they most

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needed, though his iron nature and his iron will asked no rest. His laugh was free that night, and no one appeared more at ease: no one seemed more like one who had no care upon his thoughts; but Mariva came in, and, going directly to Cortes, whispered some moments in his ear. Instantly the assumed appearance of thoughtless gayety was gone, a black frown came upon his face, and starting up he asked where the woman was. Mariva returned answer that she had gone, and her eye flashed fire as she said this, for the evening before he had quite neglected her, and his eye had sought Lesa's the most; she was jealous of the beautiful daughter of Montezuma. Cortes' keen eye had seen this, even while he was in the presence of Lesa, but her beauty had taken captive his wisdom; but all the next day he had striven to remove this new feeling from Mariva's mind, knowing the danger there would else be, as he knew well they were all in Mariva's power, who, as interpretess, might ruin them, had she the will. When he saw that her eye flashed, he hastened to re-assure her—"Nay, Mariva, not to admire her foolish beauty as we did somewhat last night, but to bind this proud Lesa to the rack, to torture her that she might confess more, and tell us where they bestow their treasure; she was but the flower that pleased for the hour; and hark ye, Mariva," he continued, smiling, "I shall begin to think my Mariva is jealous of this girl if her eye flashes so; do you think we would love the flower sooner than the star?" "And now my brave cavaliers," he said, after he had watched Mariva's exit from the room and exchanged a smile with her, ere she disappeared—"And now my brave cavaliers," rang out his voice again—"we must to action; fling away this ease, and ho! for glory! ho! for war!"

Briefly detailing their danger, he held a counsel with them; many were the plans consulted upon—retreat was proposed, but Cortes thought that that was not to be dreamed of, it was infamous, it was cowardly; he declared it would seal their very ruin in the eyes of all white men, and cause them to be despised by the very Aztec who would, when fear was gone, have no scruple to crush those whose hand had been so high, and whose step had been so crushing and unscrupulous. Gradually overcoming the fears of the very bravest of his men, and when they believed with his pretended belief that retreat was not only cowardly, but even impracticable, Cortes proposed that they should even take Montezuma prisoner by fair means or foul, and rule through his orders. With such a pledge the Spaniards must be secure from the assault of the people, afraid by acts of violence to compromise the safety of their prince, and if he could be made to come, as if by his own wish or with his own consent, they would be deprived of all apology for rising against Montezuma's captors. As long as the emperor remained among the Spaniards it would be easy, by allowing him a show of sovereignty, to rule in his name, until they had taken measures for securing their safety and the success of their enterprise.

Cortes detailed this plan before his officers, as well as the pretext under cover of which it could be done, for there must be some pretext, and his words were heard in utter silence by those to whom he spoke. The gayest of the gay but an hour ago—so thoughtless—so at their ease—in such security!—they now were pale with horror at their situation, and this plan, seemingly so impossible, and so like a straw for a drowning man to catch, so hopeless did it seem to the most of them. When Cortes had done speaking he looked at them, but heard no word, each one feared to accept it. Cortes waited a few moments, and with sneering tones he asked—"Are ye cowards, or madmen, not to accept your only means of

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safety and of conquest?" "Neither," said Pedro de Alvarado, proudly. "Neither; I accept it"—"and I"—"and I"—"and I," echoed those desperate, daring men.

Then came councils upon the minute details of the enterprise; this kept them in close council until it was late, and then all the rest of the night the soldiers might have been seen preparing their fire-arms, or going to the confessional; while Cortes, in his vast and dreary apartment, paced to and fro with heavy strides most fearfully, alone with his danger and his daring.

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When Lesa entered the palace of Montezuma he had just risen from his siesta, and was already in his hall of audience, for it was the hour when he received ambassadors from foreign kingdoms, or caciques from his own states and cities; but upon hearing that Lesa had come, they were not allowed to enter, until he could talk awhile with Lesa alone. He greeted her affectionately, asked about the child, was sorry it was ill, and glad it was then better—sorry that he had had such a night of suffering, and glad that now he slept—alternating, as we all are, constantly from sorrow to gladness, from gladness to sorrow, for there is nothing on earth which has not its pleasantness and peace, and its vexation and sorrow. Lesa seized this opportunity to press upon Montezuma the importance of bribing the Spaniards to leave his kingdom; but she had scarcely commenced her earnest appeal, when the Spaniards themselves were announced as desiring an audience. A frown came upon Montezuma's face, followed by a resigned expression; and not listening to Lesa, who implored him to deny them that day, he said that it was well, they might immediately come in, as soon as some half dozen caciques were admitted to be in attendance. He ordered the slaves to bring refreshments in, and to bring in also a couple of fans of jewelled bracelets and chains, that he might deck them with the gifts the white men most seemed to value; then turning to Lesa, he said—"Lesa, my bird, must stay with us—will she not?" The curtains of the doorway were drawn aside, and through the antechamber of the hall from the court the spirit-stirring music of the strange visitors was heard. Cortes and five of his principal cavaliers were ushered into the presence; they were all clad in complete polished steel armor, and seemed in a peculiarly friendly, courteous mood, jested with the emperor, and Cortes pleased him so much by what he said, that Montezuma, wishing to gain the friendship of these formidable people, even offered Cortes his daughter Linsta to be his wife; this Cortes playfully declined. Lesa heard Montezuma's offer with surprise; and she observed that although Cortes seemed even unusually gay, that some anxious glances were cast by the other cavaliers into the antechamber and court, where many white men seemed to be congregating. She began to fear she knew not what, while Montezuma, utterly unconscious that there was aught to fear, was loading his guests with presents, when Lesa's fears were changed into horror, into dread reality. Cortes changed his playful words into stern ones; his brow grew dark, and his tones fearful, as he told Montezuma that he had heard strange news from the south; that Quanhpopoca had most treacherously murdered two white men from his garrison at Vera Cruz; that a battle had taken place in consequence; that the Aztecs, of course, were routed, but that some seven or eight white men, with the commander of his garrison, had been killed; and that the Aztec prisoners had owned that the treachery was by the instigation of Montezuma. All this the emperor well knew; but with well-feigned astonishment he declared his surprise and ignorance of the affair,

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and said that his countenancing it was a falsehood of his enemies. Cortes told him—he, of course, believed what he said—but that it would be necessary to send for the Aztec chief, and those others concerned in the treachery, and to punish them; this Montezuma agreed to, and instantly sent his signet and warriors to bring them to Mexico. Cortes then told him that his willingness to inquire into the affair proved his innocence, but that he feared his own great sovereign would not be as easily satisfied, and proposed that he should go to the Spaniard's quarters and stay with them until the matter should be arranged; such a proof of his good will toward them would satisfy his emperor as to the falsity of the accusations. The monarch, wily himself, clearly saw through their plan, and asked, indignantly, "Who ever heard that a great prince, like himself, voluntarily leaving his own palace, to become a prisoner in the hands of strangers?" Cortes tried to convince him that he would not go as prisoner, but Montezuma would not agree to the disgraceful plan. The unexpected daring of the white man tamed him, however, for who but such as had unknown power would ever think of such a plan? Velasquez de Leon, one of the cavaliers, became impatient of the delay, and demanded that the insolent prince should be killed, unless he complied. Montezuma was terrified, and being made to believe that the threat would be carried into execution, at last consented to go with them.

Lesa, throughout this interview, was speechless with terror, with intense suffering, and with a dread consciousness of her utter powerlessness, for the emperor had not listened to her passionate appeals to defer giving audience to these people; how much less could she influence him, when she knew his fright, and even partook of it in some degree. But with her it was slight fear, for she would have died sooner than submit to the disgrace which the craven monarch agreed to. With horror she saw that the very ruin she had tried to avert she had brought upon her land, and when she found voice she besought her father to die like a man before he should submit to such degradation; but as I said before, selfishness, cruelty, and falsehood, had deprived Montezuma of being noble and brave—a craven, false man he had become, and such was every act of the fallen prince. Cortes recognizes in the woman, whose appeals were so passionate, the beautiful Lesa, and willing, in this fearful hour, to go any lengths to conciliate Mariva, he ordered Francisco de Lujo, one of the five cavaliers, to seize her and have her tortured, that she might confess where the treasures were, and what the strength and resources of her people; but Francisco asked, indignantly, if they were to war on women; Mariva interfered, and begged for her rival's life, and that decided the question.

Lesa fled from the palace, as she found that her tears and entreaties were unavailing, and sent messengers to some of the nobles in the city, while she went to others, and with frantic words and gesticulations told them of the danger of their sovereign, besought them to hasten to his rescue, and all springing to arms at her call, by the time Montezuma's letter was seen going on its way to the quarters of the white men, a force was assembled sufficient to overpower the Spaniards, had Montezuma been a man; but the pride and falseness of the man did not desert him at this moment, for he called to the people to disperse, as his going to stay with the Spaniards was his own wish; and even soon after Cortes had kept up the solemn farce by receiving him in his palace with mock courtesy, the wretched monarch reiterated the falsehood, and ordered his nobles to send away the mob with assurances of that fact. Thus did Montezuma even take away all pretext for his people's interfering in his behalf. Poor

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Lesa, terrified almost to insanity by remorse and the consequences of her ill-doing, hurried from cacique to cacique, imploring them not to heed what Montezuma said, but to interfere and save him and the nation. But some thought that her mind wandered, while the most of them believed her; but there was no one who dared take the command of such an act. Oh, how she longed for Chalcahual, but he came not. Her heart scarcely heard its excuse that she had done her best to save the land; she only knew that she was the origin of all this misery, this shame, this wretchedness. Finding her efforts to crush the mountain trouble, she went to her own home and to her own room, refused to see any one, not even excepting her child. Hours went by and the night also, and her attendants, hearing no sound in the room, ventured in, and found her lying upon her couch, while a burning fever ran riot in her veins. Utterly prostrate, hoping that she might die, she still did not refuse the medicines they offered to her; but they often heard her beseech the gods that she might die. For some days it seemed a probable thing that she would die; but after a time the fever left her, but left her scarcely living—so weak, so wan, so helpless she was. When strength began to come back again, it was sad indeed to see her—more sad than when fierce disease held her in its grasp! Then those who were by her thought most of the body's misery!—how the nerves and the muscles ached, and now they felt how the fine nerves of her soul were wrung with utter wretchedness! She would weep passionately for hours, even scream aloud in the agony of her thoughts. She told no one of her agency in this capture, but it never left her mind one moment; in sleep even it was the theme of all her dreams, and the presence of her child seemed to bring her no comfort; his playfulness reminded her so forcibly of past happiness and of present wretchedness and woe, that she could only press him to her heart and weep over him.

The tidings she received from Chalcahual were conveyed to her by the far-famed picture-writing of the Aztecs. The first messenger brought her tidings that he knew of the shameful situation of Montezuma, and that now he must speed him to the north, and at any cost of toil find what force they could muster at a moment's need, then he would consult with the nobles in the city.

Weeks passed by, and mother and son were well, when tidings came from Chalcahual, saying that he should be in Mexico almost as soon as his courier. He had left it in high hopes, but he came back almost despairing; the warriors of the land were panic struck, and so amazed and crushed were they all, that he feared their old soul of bravery would never come back to them—he had scarcely any hope left.

It was strange, the attendants thought, when they heard what was the word from Chalcahual—that when Lesa had read it, a quiet look of relief and determination came upon her countenance; and afterward they remembered that during the last part of her illness, when life seemed sure, that among her fervent prayers for emperor and country, for Chalcahual and her son, that her petition for herself was only that she might have strength. Yes, relief from torturing doubt was now given Lesa! Her way which, for the past weeks, had been through agony that could not be told—through torturing doubt, enveloped in mists and enshrouded by fearful precipices, and treading upon snares, now seemed certain and clear to her—doubt was gone and relief came to her, and with the hour came the strength she had prayed for. She received Chalcahual's letter about noon, and soon after she went out alone and unattended, and was gone for many hours. The next morning she said she felt well enough to

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visit Montezuma, and ordered her most brilliant gala dress to be brought to her, and told her slaves to dress her hair in the most elaborate style —decorating it with jewels merely. When she chose her ornaments, they wondered at the profuse manner in which she loaded her neck and arms with her most costly necklaces and bracelets, but Aztec submission forbade aught but silent wonder.

Everything seemed to conspire to render Lesa altogether lovely, beautiful and glorious in her pride. A loveliness more bewitching now threw itself as a veil about her. Her form, though somewhat bent by sickness and wretchedness, was, if possible, more graceful in its movements; the eyelids drooped, but when the long lashes were raised, and the eye looked out so clear, so sad, one felt that one must take her to one's heart, and wipe away the tears that lay so sadly on her soul.

When Lesa entered the court of the white man's palace, she noticed that the soldiers were bringing into it many bundles of spears and javelins, but she thought but little of it; and upon entering the hall where Montezuma was receiving the nobles who sought audience, she could scarcely believe in the truth of his degradation, for the state that surrounded him was the same as ever; the room was decorated in the same costly manner; numerous slaves, in the same rich livery, moved about, proffering delicacies as usual; a number of caciques were in attendance, and Montezuma wore the same insignia of royalty, and there was no sign of abjectness in his demeanor; the same haughty, proud bearing was his. When Montezuma saw her, he ran and met her; then, folding her in his arms, he said, while his voice was choked with emotion: "So I have my Lesa still; she will not go away into the land of shadows, as I feared at one time." "You have your child still," she answered, "and still have a daughter who would willingly lay down her life to aid you. Father, father, all hope is not gone; do not give way so to fear, but be courageous, and all will be well—our land shall yet be saved." These last words recalled the weak emperor to the duties of his kingdom, and turning towards some ambassadors from foreign kingdoms, he resumed the conversation. Now Lesa saw that his state was degraded indeed, for she could perceive a lurking sneer and disrespect in the courtesy of the foreign nobles; and though there were many caciques in the hall, there were as many Spaniards, and in the antechamber there paced to and fro Spanish sentinels. As she noted all this, possibly scorn and a sneer might have mingled with her sorrow for all this, had not the conviction pressed heavily home that she was the cause of it all. The ambassadors took their leave, and Montezuma, now surrounded by only those of his own nation and Spaniards, spoke of the coming death of the Aztec governor and his companions, who had been proven guilty of treacherously murdering the two white men. He spoke sadly, but like one resigned to fate, while Lesa's heart writhed in agony at his supineness, his submission, in thus allowing the white men to judge his people. While they were speaking of the trial and sentence, Cortes himself entered, and came attended by soldiers, who bore clanking chains. Cortes briefly and harshly charged the monarch with aiding and abetting the Aztec governor in his treachery, telling him that some of his companions had just been tortured, and had confessed the fact. Had he been a subject, such a crime would receive a just punishment in a like death as that the governor would directly suffer; even as a sovereign, his own great monarch would not allow aught else but that punishment should be meeted out to him; some slight punishment, however, would satisfy him. Then ordering his soldiers to put the shackles upon the monarch's ankles, he seated himself in his presence,

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and coolly, quietly watched the soldiers do their duty. Montezuma uttered no remonstrance, but hid his head on Lesa's shoulder, while ill-suppressed moans told the anguish his spirit suffered. Lesa saw that resistance was vain, and knew that her father would never bravely resist, until death relieved him from this indignity; so, folding him to her heart, as she would a child, she whispered words of comfort and hope to Montezuma, and besought him to obey Chalcahual's advice when he should come. Whatever it might be, she implored him to leave all to Chalcahual, and he would free him from these hateful Spaniards; but he made no answer. His nobles crowded around him, and taking off their costly mantles, tried to insert them beneath the chains to soften the punishment. When all was done, Cortes turned his back upon the fallen emperor, and left the room. Scarcely a sound told them what was going forward in the court. There, upon piles of javelins and arrows the Aztec governor, and his companions were bound, while fire, applied to the arrows, soon put an end to their sufferings; no murmur escaped them, and the crowd around was silenced by the scene; but the heat penetrated through the antechamber, even to the wretched monarch and his frightened crowd of attendants. When the sentence of death had been carried into effect, Cortes entered the room again, and kneeling before Montezuma, prayed the emperor's pardon for the indignity offered him. It was his sad duty, he said, and one he suffered severely in executing it; but that Montezuma himself would despise him, if he found his white friend was not able to do his duty, however severe the trial. Now the chains might be taken off, and Montezuma be monarch again. While the soldiers were removing the irons, Lesa heard the once great emperor in humble tones thank Cortes for taking off the chains as a favor he did not deserve, and it was afterward remembered by some of the slaves then present, that the expression of agony left Lesa's face, and a strange expression of quiet and peace came in its place; but it was but the expression one sees upon the face of one who has been tortured by doubt, and is at last freed from that doubt, for the iron was surely in Lesa's soul. After the chains were removed, and while the Spaniards crowded round the monarch, anxious to drive away his wretchedness, Lesa whispered to Montezuma—"Listen to my request, as if it were the last prayer of your child Lesa. When Chalcahual comes, obey his advice;" and then she left his presence, and hastened home. She went through the great hall into the aviary, but not to pet her birds. She selected her choicest flowers with great care, and wove them into a garland—bade a slave bear it to the priest Lensal, who waited for it at the steps of the great temple, and tell him it was her evening's offering. Then she went to her own room, ordering that no one should be admitted. She knelt in prayer—long and fervent seemed her supplications, and while she still knelt, Chalcahual came in, and it was his arm that raised her, and his kiss that greeted her.

Weary and way-worn was the traveller, and for a few moments after their first greeting their very natures seemed to be reversed; for Chalcahual, with all a woman's abandonment of sorrow, laid his head upon her shoulder, and wept and sobbed like a child, while not a tear glistened in Lesa's eye, and her tone was composed—all weakness had vanished with her stern purpose—and her agony, like man's agony, was too deep for expression. She felt now very keenly how wilful and wayward she had been thus far in life, and how all unworthy of Chalcahual; his faults she forgot, and only remembered her own short comings. She felt now equal to him, and that this was their true marriage hour. When she had risen

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to him, and as this conviction pressed home, there came thoughts which maddened her—they spoke briefly but so sadly about the position of affairs; and Lesa saw that Chalcahual had scarcely any well-founded hope that the nation would be brave. Then she said—"Chalcahual, do you know that in this hour of sadness, at this moment, I feel that I love you as I never loved you before, and that if I live I will never disappoint you again by my recklessness, my wilfulness, and childishness—will you remember this in after life? And now, Chalcahual, seems our true marriage hour—now, when I am more worthy of you. You must and will forgive all old faults, dearest, before I commence my new life. You say you will, the gods bless you for that! Now life seems more beautiful for me than it ever has done, but with such a different beauty! And yet, now that I look upon it so, I am near enough like to Chalcahual, as to be willing to give life itself away; if, by doing so, I could help my wretched country. By-and-bye, if I live, you must remember how I feel now, and remind me of it. I have sinned grievously toward you, dearest, and yesterday all that I had done so grieved me that, not having you here to confess to, I went to the priest, Lensal, and confessed all to the good old man, and some day you must hear all my wrong doing, if not from Lesa's lips. Lensal must tell them to you—promise me that you will let them be told to you, and then forgive." "Why, Lesa dear," said Chalcahual, "I forgive now, and surely that is no effort, for those faults of yours cannot be very heavy; but Lesa, your eye is strangely bright, and your words strange. I fear me you are not quite well, and we must save all our strength and health for stern duties." "For stern duties, indeed," echoed Lesa.

"Where is our boy, Lesa, I must see him in his new health and beauty." Lesa went for him, and brought him in with a joyful cry. The child stretched his arms out to his father, who eagerly took him and covered him with kisses, and then tossed him in the air, until the child screamed from delight. There seemed an abandon, a joyousness in Chalcahual's tone and manner quite new to Lesa, and she leaned against the casement and watched him, while the blood gathered itself about her heart, and left her colorless and in pain. When Chalcahual came to her, the nightmare of soul did not leave her, and cold and rigid in her agony she stood there and heard him say—"Come, Lesa, love. I wish that you would order your slaves to man some canoes, and we will go to the lovely island of Manto, and there we will take our evening refreshment. You shall sing to me, and hear all my adventures since last we met; but first, dearest, I will change these garments, for they are scarcely fit for a lady's bower." Chalcahual put his arm caressingly about Lesa, and his light tone changed to a graver one, as he said—"Lesa, you look somewhat astonished at my gay tone at this time of sorrow; those tones, alas! have been too rare heretofore in my happier hours; but suffering and disappointment rarely leave us until they have done us some good, and I have bade good bye to my old continued sternness; for, in my hours of earnest thought, I have at last discovered that it is wise to gather each day's diamonds. I am changed into a gayer, and, I trust, a better Chalcahual—though I feel assured that, because of this change, my arm will not be the less brave, or my courage be lessened in the least. But, Lesa, my dear Lesa, you tremble—you turn away your face. I fear you are ill, love, and would keep it from me. Come, we must have health, and this little excursion will be good for you; the blessed air will revive you, and we will gather new life for action, for in a few days intense action will be mine; and, Lesa, your task shall be to greet me always with a smile, even when tired with war and sounds of war, I may forget my new

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character of wise gayety. Come, love, look at me, and say you will go to this island, and that directly, for the sunset hour will soon be here, and unless we hasten we shall lose the fairest hours."

Chalcahual remembered afterward that, as he noticed that the day was wearing away, Lesa started and said sternly, and in a tone of command: "Chalcahual, you must go then; Montezuma must have your counsels *now*—ask me no questions, it must be as I say. When we meet again, the gods will give us time for song and joyousness, and surely," she added with a faint smile: "We, who are married now for both time and eternity, can spare a little time for harsh duties. Go, dearest, to Montezuma, and give to him somewhat of your bravery. Your bravery and strength will be severely tested, and I know you will never sink or lose courage in upholding your country's life and honor. Do not look at me with such wonder written in your countenance; believe me, I would not tell you to go now, if it were not for our country's good, and that must now be paramount. By-and-bye we shall have time given to us by the gods to tell one the other that we are one for time and eternity. You have much to love in life, Chalcahual; if I were not with you, here is our boy to live for. Come, Chalcahual, you must go."

The noble cacique hesitated about obeying her, for he felt that she was ill. A moment ago she was cold, and her pulse seemed almost as if it had ceased beating; then her hand grew so very feverish, and her frame seemed shaken by emotion; and now her hand was icy cold again, and her words were certainly somewhat wild; but her reiterated, "go, dear Chalcahual, as you love me," decided him, and snatching a kiss from her cold cheek, he sought Montezuma—determining, however, that his stay should be very short. Had he lingered on the way, he might have heard Lesa's long and agonized scream, when she realized that she was alone with her dread purpose. The attendants, who rushed to the room in dismay at the sound, afterward told how passionately she embraced her child, and that she soon left the palace alone, and with hurried, irregular steps.

Chalcahual found Montezuma was surrounded by the Spaniards, who were endeavoring to wile the unfortunate monarch into some cheerfulness; and seeing no possibility of gaining the emperor's ear, he gladly received his commands to deliver a kindly message to some tributary, though petty king, who was then ill in the capital, for his message could soon be given, and he might return the sooner to Lesa. His way passed by the great temple, and, looking up at the immense pile, he inwardly prayed that the day might soon come when the idols of wood and of stone should be taken from their shrines, and the God of Spirit, the great Unknown God, be worshipped. As he came toward the temple upon his return, he knew by the hushed multitude assembled about the base of the pyramidal structure, that it was the hour of evening sacrifice; and upon the steps, about the centre of the pyramid, he saw a long procession of the magnificently clad priests, and heard their wild chaunts, while wreaths of incense lightly curled above their heads, as they paced on their way. The setting sun threw a beautiful light about them, and he could clearly distinguish, by the absence of the towering panache of feathers, that it was a woman who was to be the offering, and that she was a willing sacrifice, for her step was almost as firm as that of the priests, and her hands were folded upon her breast, and her eye bent down in prayer. Chalcahual's soul sickened as he saw the pomp of this horrid procession, and yet he leaned against a tree and watched it, as higher and higher the procession mounted on their way, winding round the pyramid, and at last reached the great square upon the top, where was the stone of sacrifice

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and the temples. After a short silence, he heard the faint screams of the victim—faint, because of their distance from her, and which told that, if the heart was willing, the flesh shrank. Turning to one nearest him, Chalcahual asked who it might be. The one he questioned was a stranger in the city, and knew him not; so he answered, quietly: "She is a willing sacrifice to avert the displeasure of the gods, who seem to have deserted us. Her name is Lesa, I believe, wife of the great warrior, Chalcahual!"

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Months and months went away, and people no longer inquired about Chalcahual, for again he was heard in the war council, and again he led the battle; but horror, fever, insanity, and the utter desolation of his heart and home had done their work, and his face was marked with deep lines of anguish, and his form wasted, and there was silver mingled in his dark hair. Battle after battle went by before the prayer was granted. He would have prayed, had it not been for the haunting echoes of Lesa's words:—"These are stern duties, indeed." But at last death folded her arms about him, and when some devoted friends removed the dying man from the thickest of the fight to a quiet place to die, and would have given him water to slake the fierce thirst caused by his wounds, he turned away his head and murmured, while a sweet smile beamed upon his face:—"No, I am going to Lesa!"

THE CHESAPEAKE.

On thy brim I am standing, thou beautiful Bay!
  Where in childhood as free as the zephyr I stray'd,
And as glad as the lark at the dawning of day,
  In the beams of the morning disported and play'd;
With entrancing delight view'd thy waters afar,
  That lay like a banner of silver unfurled,
Until glow'd in the westward the soft vesper star,
  And the queen of the night shed her smile o'er the world.

With my book I have walked on thy blossoming strand,
  While I sent my young thoughts down the vale of the past,
To the time, when the Red Man was lord of the land—
  And his ear unattuned to the cannon's fierce blast;
Or ensconsed in these bowers of roses serene,
  And woodbines from morning till eventide dwelt,
O'er the Sorrows of Harold, and Spencer's fair Queen—
  At the altar of Homer enraptured have knelt.

Yes, beloved Chesapeake! ah! how oft on thy bank,
  When the flowerets were smiling—the birds were all glee,
And the young panting fawn stoop'd beside thee and drank,
  The fountains were leaping through woodland and lea—
And the world was effulgent with beauty and life!
  Have I roved with one dear to affection and love,
Till my soul with bright visions of glory was rife,
  And my thoughts were all pinion'd in regions above!

But those days have departed—those visions are o'er—
  That dear one has gone to the Land of the Bless'd—
The friends that watch'd over my slumbers of yore,
  And soothed by affection my sorrowing breast,
Are roving afar, or repose in the clay;
  And nought now is left midst the world's crowded mart,
Save the memory of these to enliven my way,
  And illumine the void in this desolate heart.

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POLITICAL PORTRAITS WITH PEN AND PENCIL.

HENRY MILLER SHREVE.

WHATEVER mitigates the severity of human toil, adds to the comfort, wealth and happiness of the laboring millions, or opens new sources of public prosperity, must always meet with ready encouragement from that party whose great mission is the elevation and improvement of our race. Entering fully into the spirit of modern civilization, and keeping pace with the growing resources of our Republic, the Democracy has always maintained its position as the party of progress and the party of the people;—ready to lend willing aid, in all legitimate forms, to every wise movement for the general good. Whilst prompt to vindicate civil and religious liberty against all assaults, open or covert, and to strike off the fetters which monopoly or selfish interests fasten upon human industry, it has not been indifferent to the scientific discoveries and useful inventions, by which, in our age, man has made the elements servants of his will, and imposed on them the burthens under which he once struggled to the prostration of his mental and physical energies. Among not the least of the many rich fruits of our political institutions, may be numbered the various applications of science to useful purposes. Yankee ingenuity has become proverbial; yet it may well be questioned whether many have considered properly the connexion of our system of government with that trait of national character. An intelligent, industrious and thrifty people, brought into daily contact with the various obstacles thickly strewn along the path of ordinary labor, could not long forego the necessary effort to remove those difficulties. Whilst we owe to the higher departments of learning most of the brilliant discoveries of modern times, we are indebted to the humble students of nature for the most useful and startling applications of physical laws to human wants. Indeed, so gradual and imperceptible have been many of the improvements of the last half century, that very few of the most learned have been able to keep pace with them, or to trace their origin and progress. Science scatters its blessings with a lavish bounty, but is most beneficent in its popular form—in giving motion to countless water-wheels and steam engines—directing the mariner over the trackless deep—sending intelligence with lightning speed along electric wires—entering, in untold shapes, into the daily pursuits of honest industry, and freeing them of their worst evils. In all this, there is much to strengthen our faith in human progress, and to give us a higher estimate of man's destiny as a social being. Political freedom, unfettered enterprise, a government of equal laws, the diffusion of knowledge, and general industry, have wrought changes of which the world dreamed not a century ago, and which should convince even the most sceptical, of the capacities of our race for indefinite improvement in all that elevates and purifies individuals or communities. It is not to the limited range of party measures, important as they unquestionably are, that Democracy confines all of its choice blessings. Its beneficent results end not with the triumphs of the hour, but extends, in ever-widening circles, to remote events, embracing in their comprehensive grasp both nations and individuals. Man is the *unit* of its calculations, and not society as a mass, in which individual

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suffering, poverty and ignorance, in their most hideous forms, are consistent with general prosperity. Hence, he must be regarded as contributing his full share to Democratic influences, whoever he may be, that gives new value and activity to human industry, relieves it of its heaviest burthens, and enlarges the sphere of its operations and usefulness.

It is in this view of the mission of Democracy—of its principles and sympathies—that we present to our readers, in this number of the Review, the engraved likeness, from a crayon sketch by D'Almaine, the Illinois artist, and the following biographical sketch, of HENRY MILLER SHREVE :—

At the close of the third volume of his history of the United States, Mr. Bancroft notices, with peculiar force, that simultaneously with the signing of the treaty of Aix La Chapelle, which was supposed to settle the balance of power between contending dynasties in Europe and to give permanence to a new colonial system, a Virginia stripling, the son of a widow, was wending his toilsome way, armed with compass and chain, over the unexplored Alleghanies,—the beginning of a career destined to end in the mightiest results. The student of history is familiar with the vast designs of France to found a colonial empire in North America, and her efforts to connect the Canadas, by a cordon of military posts and trading stations, with the Valley of the Mississippi and her possessions on the Gulf coast. By the enterprise of her traders and the zeal of her missionaries, she had succeeded in surrounding the English colonies, from the Kennebec on the East, the Mohawk Valley and the Lakes on the North, and the Alleghanies on the West, with numerous tribes of Indians, ever ready to commit hostilities against whatever rival should break through the charmed circle she had marked out as the boundaries of her American domain. The struggle between her and England, terminating in the war of the Austrian succession, was postponed by the treaty of 1748; but their respective colonial boundaries in the North-west were not then adjusted. On the 4th of July, four years previous, Virginia had acquired from the Iroquois a claim to the whole North-west Territory; and whilst the representatives of Europe were arranging the preliminaries to a peace in the Old World, the Virginia stripling was opening for an unknown Republic in the New—a pathway to the richest inheritance civilization ever claimed. Thus early was the attention of our ancestors directed to the magnificent valley beyond the Alleghanies; and did Washington become the pioneer of their pregnant hopes. The peaceful beginning of his illustrious career was identified with the rising greatness of the Mississippi Valley; and, by a strange ordering of human events, his earliest military renown was won on the same spot where his first civic triumphs were gained. Along the Monongahela are the first footprints of his usefulness and glory. A leader in a new struggle for freedom, he began his career by passing the mountain barriers to Anglo-American progress, and closed it not, until his companions in arms had found new homes in the transmontane wilderness, bearing still farther westward the fruits of American civilization and liberty.

Among the many distinguished officers of the Revolution, whose sacrifices forced them, at its close, to provide new homes for themselves and families on the public domain in the far off West, was Col. Israel Shreve, commander of the Second Regiment of New Jersey Patriots, and his eldest son, John Shreve, a lieutenant in the same regiment. They were Quakers by education and from reflection. Deeply imbued with the spirit of their simple faith, they prized above all earthly blessings the right to follow unmolested the teachings of the monitor within. They had cherished with fondest zeal an ennobling faith in man's high destiny, and learned to recognize no

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superior, save God alone, who spoke to them through the silent promptings of a pure and tranquil soul. The first mutterings of the gathering storm in 1776 fell upon their ears, whilst they were dwelling quietly on their little farms near Burlington, in New-Jersey. They responded boldly to its dread appeal, and, despite the admonitions of the church and its earnest lessons of non-resistance, offered their services for the battle-field. They fought gallantly at Brandywine, and throughout that severe contest for liberty—never doubting that duty to their God was consistent with the holiest dictates of patriotism. So resolute and true were they in their political faith, that the father always refused to join his Quaker brethren again, at the cost of a confession that he had strayed from the path of duty in fighting for his country. He believed no such error, and would not play the hypocrite to gain communion with those to whose simple faith on other points he readily subscribed. The first tenets of his creed required him to commune immediately with the Author of his Being, and to go forth from those solemn communings obedient to the lessons they taught. He had thus acted, and could not repent that he too had dared all for national independence.

In the year 1787, Col. Israel Shreve, with his family, migrated from Burlington County, in New Jersey, to the Monongahela Valley, and purchased the first tract of land surveyed by Washington in 1748, and known to this day as the "Washington Bottom." His fourth son, the subject of this sketch—Henry Miller Shreve—was born at the old homestead in New-Jersey, on the 21st of October, 1785, and was consequently only two years old when he crossed the Alleghanies to receive his education in the wilderness, and enter upon the theatre of his subsequent usefulness.

At that period there were only a few scattered *clearings* in the vast West. Twenty years previous, Daniel Boone had led the way, but immigrants followed his adventurous path with extreme reluctance. Danger and death lurked in every forest, and the track of the early pioneers in Kentucky and Ohio was ever marked with blood. The Indian tribes warred upon the advancing whites, and visited every settlement with the tomahawk and scalping-knife, from the advent of Boone to the close of Wayne's expedition. During the Revolutionary war, George Rogers Clarke had perfected the Virginia title to the North-west Territory, by conquering every military post from the Falls of the Ohio to the then Spanish fort and French settlement at St. Louis. Congress was not indifferent to the future well-being of the West, nor did it place a low estimate upon its value; for when, in the darkest hour of the conflict, the aid of Spain was proffered, on condition that the exclusive navigation of the Mississippi should be surrendered to her, the overture was calmly but firmly rejected. In 1787, the western pioneers divided their labor between their farms and the Indian wars. Most of them had been well trained in border warfare, and were of tried daring. None others would have ventured into the remote wilderness, cut off from former friends and potent aid by intervening mountains, which but few wagons had attempted to cross. Such a severe school was well adapted to the education of the young in all the sterner lessons of life. With fathers, who had either grappled with the Indian in deadly strife, or fought against the disciplined legions of England on many a well-contested field,—surrounded, too, by ceaseless dangers from their infancy,—the young men of the frontier became early inured to hardship, skilled in the use of the rifle, quick to discern danger and to repel it, and accustomed to rely on their own resources for safety and success in every enterprise. The whole white population West of the Alleghanies could not at that time have exceeded one hundred thousand.

Whilst history has done at least partial justice to the adventurous spirits

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who opened those distant forests to civilization, it has been strangely mute concerning the pioneers of Western commerce. It is not to such men as Boone alone, that the rapid increase of the West in population and wealth is to be ascribed. They played well their part, and deserve lasting gratitude; but the dense forests and fertile plains of the Mississippi Valley would have long failed to give encouragement to active industry, if a profitable market had not been opened for their surplus productions, and easy access to it been provided by human genius. It was not enough that the virgin soil produced, almost spontaneously, nearly every article of food necessary for human subsistence; nor did it suffice that vast beds of coal lay side by side with exhaustless stores of iron, lead and copper. It was not enough that dense forests skirted the open prairies; that rich "quarries" were beside every stream; that clear water gushed forth from innumerable fountains; that salt *licks* were surrounded with abundant game; that fruits of the hardiest and most delicious kinds could be plucked almost without effort, and required but the slightest cultivation; that from the Alleghanies to the Cordilleras, from the sources of the Mississippi to its outlet in the Gulf of Mexico, a fertile domain, with all the products and varieties of soil and climate known to the temperate zone, invited the immigrant, and promised him ease, comfort and certain subsistence. Nature, which had been lavish of its other bounties, did not deny the means of intercommunication. Through the heart of that magnificent region the Father of Waters tracked his majestic way, and stretched his giant arms from the base of the Rocky Mountains to the Alleghanies, to gather into his bosom the untold treasures of half a continent, and bear them in triumph to the great highway of nations.

The early pioneers of the West easily satisfied their coarse and more pressing wants, from the rich crops of their *clearings* and the spoils of the chase; but the absence of profitable markets left them without inducement to provide for more than their yearly necessities. Such a quiet and lifeless state of things needed the quickening energies of commerce to give vitality to western civilization, and prepare it for its mighty career of usefulness and glory. The cost of transportation over the Alleghanies consumed the farmer's profits on his surplus productions; and the current of the Mississippi was too impetuous to be successfully resisted by ordinary boats, and its navigation attended with too many perils to tempt other than the most reckless and daring to engage in such a vocation. Reluctant, indeed, was England to resign her hold on such an inviting domain, or to agree to any adjustment of boundaries which would exclude her from its blessings. Although forced north of the Lakes by the treaty of 1795, she ceased not to indulge the fond hope of gaining a right to navigate the Mississippi, until the war of 1812-'15 settled the question forever—a navigation which, at that period, was undergoing a silent revolution, equalled in importance only by the military struggle that ended so gloriously near the outlet of the same river, on the plains of Chalmette.

The early western navigators were a strange race—hardy, brave, and reckless. We allude not to the French *voyageurs*, who substituted their rude batteau for the bark canoe, and pushed their way far up the Missouri and its tributaries to the Rocky Mountains, in the perilous fur trade, but to their successors, the Mike Finks and their compeers, who performed more regular trips, in rude flat-boats or arks, between the scattered settlements along the Ohio and Mississippi. Those boats were generally built of green oak planks, rudely fastened together, and sufficed for the descending voyage to New-Orleans. At that place they were abandoned, and their crews returned on foot, overland, through a wilderness inhabited by hostile Indian tribes.

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Such a life was full of wild adventures, the recollection of which is fast fading away. Many a thrilling story still lingers dimly in tradition, recounting, with almost fabulous exaggeration, the exploits of those early boatmen during their toilsome voyages and still wilder journeyings through the pathless wilderness from New-Orleans to Pittsburgh. They were the earliest pioneers of western trade, and their characters were formed by surrounding circumstances. They knew no laws save of their own creating, and received no protection save from their own rifles and strong arms. Generous, passionate and bold, they pursued their dangerous career, reckless of their own lives and always ready to avenge a comrade—content with whatever would satisfy their momentary wants, and willing to share the gains with a friend, or squander them for a day's frolic in some rude settlement.

It is evident that, under such a system, commerce could hardly be said to exist. A few piroques and keel-boats made ascending voyages from New-Orleans with extreme difficulty. The cost of such transportation left no margin for profits nor inducements for trade. The only markets of value to the farmer grew out of the demand caused by new immigrants to his neighborhood; and his surplus products were small, for there were but few to purchase them. At that period, corn and oats were seldom sold in Ohio for more than ten or twelve cents per bushel; or wheat for more than thirty or forty cents. Beef was readily bought for one dollar and fifty cents per hundred, and pork for two dollars. Each family produced whatever was necessary for its own consumption, and lived in almost Arcadian simplicity. Still, as if conscious of the coming value of their river trade, they insisted upon the free navigation of the Mississippi, as a natural right, with which they would not part at any price. Hence, when the rumor crossed the Alleghanies, that the right was about to be relinquished to Spain, the settlers talked boldly of resistance, and their threats and apprehensions could not be quieted until Washington, contrary to his usual custom, addressed to them a frank statement of the then condition of negotiations.

But, as population increased, additional energy was given to all departments of labor. Men began to struggle for more than daily subsistence—to toil for permanent wealth. Their acquisitions depended principally on better and more profitable markets; and hence their commerce, at the beginning of this century, gradually assumed a more judicious and improved form. To the flat-boat, piroque, and keel-boat, propelled by "setting poles," and oars—"eatem conto subigit"—barges with sails were added; an improvement celebrated in that day with as much joy, as was subsequently the use of the steam-engine; not that the use of sails for the propulsion of boats had been unknown and unappreciated previously, but because it had been supposed that barges of thirty and fifty tons could not thus navigate the rapid waters of the Mississippi Valley. Almost simultaneously with the commencement of this new class of boats,—the connecting link between the former rude system and the introduction of steam, Henry M. Shreve began his career. Western commerce, just struggling into shape, was then attracting the enterprise of men of integrity, education, and wealth. The news of the occlusion of the port of New-Orleans had served only to test the patriotism and daring of the western pioneers; for hardly had they enrolled themselves as volunteers to force open their great highway to the gulf, when the more joyful intelligence came, that Louisiana had been purchased and the divided valley united under our Republican flag. Their right to navigate the Mississippi and trade along its banks—to sell and buy at New-Orleans without molestation, had thus been placed beyond dispute; and new scope was given to their enterprise and feeble trade. Western commerce had become a regular and legitimate pursuit. Its destinies had enlisted the zeal,

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of those who could give it energy and value—and a class of merchant-navigators had appeared, who opened a profitable traffic among the distant settlements. Among those Capt. Shreve bore a high rank. In 1807, he built at Brownsville, on the Monongahela, a barge of thirty-five tons burthen, and manned it with a crew of ten men for a voyage to St. Louis. He reached the latter place in December of that year, forty days from Pittsburg. After purchasing a cargo of furs, he returned to Pittsburg and forwarded them to Philadelphia. The trade thus commenced by him was continued three years with considerable profit, as each voyage was on his own account. This was the rude beginning of regular commercial transactions between Philadelphia and St. Louis, through Pittsburg—transactions which now equal in value several million dollars annually.

Early in 1810 he determined on opening a new business. Prior to that period the British had monopolized the traffic with the Indians along the Upper Mississippi, and exercised over them a controlling influence, which was subsequently felt in all the horrors of Indian warfare from 1812 to 1815. There were only a few settlements at that time north of St. Louis, the principal ones being at Cap au Grès, Salt River, Fort Madison, and Dubuque. It was known that British traders were engaged in a profitable pursuit, buying of the Indians, in exchange for rum, whiskey, &c., large quanties of *lead* as well as furs. Capt. Shreve left St. Louis for Fever, or Galena River, on the 2nd of May, in a new barge of thirty-five tons burthen, manned by twelve men, and loaded with an assorted cargo. Notwithstanding various detentions to hunt food, and from other causes, he made the trip from St. Louis to the spot where Galena is now built, in fourteen days. There he remained until the 1st of July following, busily employed in traffic with the natives. During that time he had bought *sixty tons of lead;* and was therefore compelled to build a flat-boat, and buy a Mackinaw boat, to aid in transporting his return cargo. His little flotilla reached St. Louis in twelve days—the commencement of the American lead trade on the Upper Mississippi. He took his cargo to New-Orleans and shipped it thence to Philadelphia, realizing upwards of $11,000 from the enterprize. That trade now equals in value about $3,000,000 annually, estimating only the shipments from Fever River. Then there were only eight or ten small settlements between Louisville and the mouth of the Ohio, and about the same number between the latter place and Vicksburg. He never repeated the trip to Galena, as his success induced immediately on his reaching St. Louis, others to send six barges to that point, and thus overdo the business. On his return to Brownsville that year he built a barge of ninety-five tons burthen, and entered upon regular voyages between Pittsburg and New-Orleans, in which he continued for four years.

The difficulties of western navigation at that period cannot be appreciated at this time. Each voyage consumed six months, and was attended with extreme toil, great expense, and imminent peril. During a favorable wind barges would float gently down the stream, with the aid of sails and oars, guided with the utmost care and vigilance through the forests of snags among which lay their tortuous and threatening course. At other times, oars and "setting poles" were the sole resort. The force of the current bore them rapidly forward, but subjected them to the constant danger of striking a snag, sawyer or sunken root, and going down with their cargoes at a moment's warning, beneath the muddy waters of the Mississippi. In ascending, the *cordelle* was used at the most dangerous and difficult points; the barges dragged up stream by main force. Many of those boats were of more than one hundred tons burthen, and required a crew of forty men for their management. Such was the *improved* mode of performing those

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early voyages of two thousand miles in length, which was in general use from 1804 to 1814; and from such rude efforts has sprung, by aid of steam, an interior commerce, which in about thirty-four years has come to double in value the whole foreign trade of the Republic.

No where did the experiments of Fitch and Fulton elicit greater interest than in the Mississippi valley. The people of that vast region needed only a better mode of transportation to enable them to compete successfully with the Atlantic states, even in eastern and foreign markets. Nature had prepared the way for a thriving commerce, by providing navigable rivers of the aggregate length of about 15,000 miles; but their strong currents required more than animal muscles for their successful navigation. Fitch and Fulton were endeavoring to substitute natural agents for human strength; and their triumph was destined to give new wealth, impetus and power to the Union. The boatmen, farmers and merchants of the west had vast interests at stake, and none could feel more anxious for a favorable issue to those experiments with steam. They had scaled the Alleghanies, beaten back the Indian tribes, and encountered the privations incident to frontier life, in the firm expectation that the avenues to happiness would, eventually, be opened to them and their children. History taught that, at each period in human affairs, new discoveries and inventions, as well as men to lead the way, had grown out of the wants of the times. The law of progress was especially discernible in the career of our republic. From the severe schooling received by our colonial ancestors, intellectually and physically, during their early disputes with the mother country on questions of prerogative and principle, no less than in their contests with the Indians, and with their French and Spanish neighbors—the great lesson of self-reliance was so learned, that national independence and free government were the natural results. At the close of the Revolution, the population of the country was confined almost wholly to the narrow strip of land east of the Alleghanies; but when the advancing wave o'erleaped the "mountain barrier" a few years, sufficient to teach those early adventurers that mountains must be practically leveled and fierce torrents stayed in their course; that the iron-horse and self-moving leviathan must supercede the slow wagon and clumsy barge, before their fertile prairies and distant forests could teem with an industrious and thrifty population. If the genius of Fulton and his compeers had not opened the great avenues of the west, who can say how long its undeveloped resources might have slumbered unknown, or what now would have been its relative rank in the confederacy? The great problem to be solved was not, whether vessels could be propelled by steam on the tide waters of the Atlantic, but whether they could be forced into the very heart of our continent, and along its main arteries to the extremities of the system, overcoming all obstacles in their course. Navigation along the Atlantic coast, and in its bays and short rivers, was not difficult with sail vessels, and could be easily conducted during fair winds and tides. Not so with the rivers of the west. Hence, the experiments of Fulton on the Hudson, and of Fitch on the Delaware, required repetition on the Mississippi, before the steam problem could be solved; and so thought Fulton himself. In the year 1812, he built at Pittsburgh the steamer "Orleans," of 400 tons burthen, and descended in her to New-Orleans, where he arrived about Christmas of that year. That downward trip, however, convinced him that the "Orleans" could never return to Pittsburg, and she was consequently used from that time as a trading packet between New-Orleans and Natchez. That was the first steamer that ever floated on the western rivers; and great as must have been the astonishment of the boatmen and settlers at the appearance of so strange a craft; far greater was their regret at the failure of the

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experiment. The next year Samuel Smith built a small steamer at Pittsburg—the "Comet"—of thirty tons burthen, on the model of French's patent, obtained in 1809. It was constructed with a stern wheel, and vibrating cylinder, making a voyage, in 1813, to Louisville and back. In 1814 she descended to New-Orleans, was then condemned, and sold at Natchez, where her machinery was placed in a cotton gin. In 1814, Mr. Fulton made another trial. The "Vesuvius" was built by him at Pittsburg—445 tons burthen—and early in the year descended to New-Orleans, under command of Captain Ogden. In June following, an effort was made to perform the ascending voyage, but proved a signal failure. That boat was then placed with its predecessor in the Natchez trade. Thus far, the experiments only served to demonstrate, that steamers, like flat-boats, might pass down stream well enough, but that they would have to be abandoned, as were the Kentucky arks, on reaching New-Orleans.

Those expensive failures, however, did not dishearten all western boatmen, although most of them looked upon the project of forcing vessels up the Mississippi, with fire and steam, as practically absurd—an impossibility. It remained for one of their own number to crown that project with success—to devise improvements by which the steam engine could exert, not only the propelling power necessary, but regulate its own motions with the precision of clock-work. Before his genius was directed particularly to the subject, Capt. Shreve had taken one-fifth of the stock in a new steamer, 45 tons burthen, built at Brownsville, on French's patent. It was intended by the owners that he should command her, but as she was finished while he was absent with his barge at New-Orleans, Capt. Gregg made two voyages with her to Louisville during the summer. She was then loaded with ordnance and military stores for General Jackson's army; and as Captain Shreve had, in the meantime, returned to Pittsburgh, she was placed under his charge. About two months previous, three keel boats had been also loaded at Pittsburgh with small arms for the same army, but *permitted to trade by the way*—a strange contract, which endangered the safety of New-Orleans, then threatened by General Pakenham's expedition. On the 1st of December, 1814, Capt. Shreve left Pittsburgh, in command of that small steamer. He felt a double anxiety in the success of his enterprise. Not only was it his first in a steam vessel, but it was connected with the glory of his country. Born of true Revolutionary stock, a devoted Republican and a zealous advocate of the war then waged against England, he had felt, in common with the people of the West, extreme indignation at the burning of our national capital by the Vandals of modern times, and at the proposed gathering of traitors in Hartford to "give aid and comfort to the enemy." He knew that Sir Edward Pakenham's army was about to land on our Southwestern coast, and that New-Orleans was the probable point of attack. He knew, also, that it was of vast moment that Gen. Jackson should receive his military supplies, without delay; and in fourteen days they were safely landed in his camp. As anticipated, he fonnd intense excitement prevailing in the city on his arrival, and after receiving the thanks of the commanding General, he was ordered to proceed as rapidly as possible up the Mississippi and tow down the long delayed keel-boats. He was absent six and one-half days, during which time his little steamer had run 654 miles; and then returned to New-Orleans with the small arms and ammunition so much needed. From that time to the third of January following, he was engaged in transporting *materiel* from the city to the final battle-ground of the 8th of that month. On the 3d, he received notice that the Commander-in-Chief desired him to call at head-quarters. He immediately obeyed the summons, and on reporting himself to General Jackson,

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was accosted as follows: "Capt. Shreve,—I understand that you are a man who will always do what you undertake. Can you pass the British batteries on the bank of the river, nine miles below, and with your steamer bear supplies to Fort St. Philips?" After a moment's reflection, which convinced him of the extreme danger of the enterprise, and suggested a mode of success, he answered; "Yes, if you will give me my own time." "What time do you require," asked the General. "Twenty-four hours," was the reply. It was then agreed that the supplies should be put on board the steamer by 4 o'clock that afternoon, and the effort made to pass the British before the next morning. It will be remembered that two battles had been fought prior to the interview just mentioned. The British were encamped several miles below the city, and had erected heavy batteries so as to command the river entirely. It was of great moment that Fort St. Phillips should be relieved before the enemy advanced, in order that it might be made the key to subsequent operations whatever the issue of the impending battle.

That evening, the steamer was run down to the *Scud* just above the British batteries. The side most exposed had been completely covered with cotton bales, fastened securely to the vessel with iron hooks. By midnight, as is usual there, a dense fog covered the river, and screened all objects from view. Taking advantage of that circumstance, Capt. Shreve put his steamer in motion, under "a slow head of steam," with muffled wheel; the strictest silence having first been enjoined on the crew. As anticipated by him, he passed wholly unobserved by the sentries on the shore, at a signal from whom his vessel would have been shattered into fragments. Reaching the Fort in safety, he discharged his freight, and on the next night repassed the batteries, undiscovered, until beyond effective reach of the enemy's long guns. Only a few spent balls struck the cotton bales by which his vessel was protected. This daring exploit excited the greatest admiration in Gen. Jackson's camp, and received his marked commendation.

The day previous to the battle of the 8th of January, Capt. Shreve requested permission to join the ranks; and he was accordingly stationed at the sixth gun—a long twenty-four pounder, in Col. Humphrey's battery. There he shared in all the perils and glories of that remarkable victory—ready to aid his country in any manner possible, and at all necessary risks. It was during those eventful scenes that he became familiar with the true character of Gen. Jackson; and at that time an intimate friendship sprung up between them, which nothing but death dissolved. Hence, as early as 1819, when the people of the West first began to talk of Mr. Monroe's succession in the Presidental chair, he expressed his decided preference for the hero of New-Orleans. He was one of the original seven who made the first demonstration in Louisville in favor of Gen. Jackson's election to the Presidency; and the old hero never had a truer friend in his various contests with his political opponents.

After the battle of New-Orleans, the steamer "Enterprize" was sent to the gulf to exchange prisoners with the British fleet; subsequently with troops up the Red River, and then made nine trips to Natchez. On the 6th of May, 1815, Capt. Shreve determined to make an effort to ascend the Mississippi to Louisville. Although every previous attempt had signally failed, he was convinced that success was practicable. On the 31st of that month, the "Enterprize" reached Louisville—*the first steam vessel that ever performed that voyage.* Still the delays, difficulties, and expense of the undertaking, rendered it doubtful whether steam navigation on the western rivers would prove of any practical benefit.

The experience acquired by him whilst in command of that steamer,

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wrought out improvements of momentous value. He had examined closely the engines of Fulton and French, watched their operations in every particular, studied out their defects, and diligently applied his inventive powers to devise the proper remedies. Convinced that the various inventions he had matured in his own mind would overcome the main obstacles to success, he abandoned the command of the "Enterprize" for the purpose of testing his plans, and commenced the construction of the "Washington," of 400 tons burthen. The hull was built at Wheeling, in accordance with his directions, whilst he superintended, in person, the construction of his new engines at Brownsville. That steam-boat was the first "two-decker" on the western waters. In appearance it resembled a dismasted frigate; the cabin being between decks. Previously, the boiler had always been placed in the hold of the vessel; and under Fulton's patent upright and stationary cylinders used—under French's the vibrating cylinder. Despite the ridicule with which his suggestions were received, he ordered the cylinder to be placed in a horizontal position, and the vibration to be given to the pitman. Fulton and French used a single low-pressure engine; Capt. S. built a double, high-pressure engine, (the first used on the western rivers,) with cranks at right angles, and the boilers on the upper deck. Mr. David Prentice had previously employed the *cam* wheel for working the valves to the cylinder; and Capt. Shreve added his great invention of the "cam cut off," by which three-fifths of the fuel was saved. Most of these improvements, originating with him, have long been in universal use, although their origin has not been generally known. The "Washington," when finished, was, in every essential part, unlike any other steam vessel then known. The machinery weighed only one-twentieth as much as the Fulton engine, and was worked with about one-half of the usual amount of fuel. The alterations and improvements by Capt. S., made the engine essentially a new machine; and in the course of a few years, no other model was used west of the Alleghanies. If Fulton's inventions entitle him to the great fame awarded by the world, why should not equal merit be accorded to Capt. Shreve, whose improvements superseded all others more than thirty years ago?

On the 24th of September, 1816, the "Washington" passed over the falls of the Ohio, on her first trip to New-Orleans; returning to Louisville in November following. The trial was eminently successful. At New-Orleans she was visited by the most distinguished citizens of the place, all of whom expressed surprise and admiration at the ingenuity of her commander. Edward Livingston, after a critical examination, remarked to Capt. S.:—"You deserve well of your country, young man; but we (referring to the Fulton and Livingston Monopoly) shall be compelled to beat you (in the courts) if we can." The ascending voyage to Louisville demonstrated satisfactorily the practicability of resisting by steam the currents of the Mississippi. In consequence of the ice in the Ohio river, and continued low water, the "Washington" remained at the Falls until March 3d, 1817. On that day she started on the voyage, from which all western historians date the commencement of steam navigation in the Mississippi valley. She was heavily laden, both in descending and ascending, and crowded with passengers. From the time of starting to her return to the landing at Shipping-port, just below Louisville, including all detentions at New-Orleans and elsewhere, only *forty-one days* were consumed; the ascending voyage being made in *twenty-five days*. "This was the trip," said the early historian of Louisville, "which convinced the despairing public, that steamboat navigation would succeed on the western waters." To commemorate the event, and express their gratitude for the triumphant solution of

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the great problem of the day, the citizens of Louisville gave him a public dinner, and hailed him as the first of benefactors to the Mississippi valley. In reply to a complimentary sentiment, he predicted that the time was not distant when the ascending trip from New-Orleans to Louisville would be made in *ten days*—a prediction received with incredulity, even by those who had then met to celebrate an event, of which they had previously despaired. That prediction was not a random statement, but a conclusion formed from accurate mathematical calculations. That prediction has been more than verified since. *The trip has been made in less than five days.* On his return to New-Orleans, his friends hastened on board, eagerly inquiring what accident had forced him to put back—none of them supposing that he had been to Louisville since they last parted with him. Out of the profits of those two voyages, he paid all the expenses of running the steamer, the original cost of the construction; and divided among the stockholders a surplus of seventeen hundred dollars.

In 1806, Dr. McMurtee says, there were only six keel-boats and two barges owned on the Ohio river. In connexion with the flat-boats and piroques in use, they then sufficed for the carrying trade of that region. In 1819, so rapid was the increase after Capt. Shreve's success, twenty-five steamboats with the aggregate tonnage of 6050 tons, were owned by the citizens of the Ohio valley; and twenty-six others, whose average tonnage amounted to 6720 tons, were nearly completed and ready to be launched. Judge Hall, of Cincinnati, says in a recent address, that "prior to 1817, the whole commerce from New-Orleans to the upper country was carried in about twenty barges, averaging one hundred tons each, and making but one trip in the year; so that the importations through New-Orleans in one year, could not much have exceeded the freight brought up by one of our largest steamers in the course of the season. On the upper Ohio there were about one hundred and fifty keel-boats, of about thirty tons each, which made the voyage from Pittsburg to Louisville and back in two months, or about three such trips in a year." In two years, the steamboat tonnage amounted, in consequence of Capt. Shreve's ingenuity and enterprize, to 12,790 tons, and it has continued to increase with almost incredible rapidity to the present hour.

We have alluded to several efforts on the part of Spain, France and England to command the navigation of the Mississippi river, and to the firmness with which the general government and the western pioneers resisted all such efforts. In 1788, Congress resolved that they had no intention to give up to Spain the navigation of that river—"that the free navigation of the river Mississippi is a clear and essential right of the United States." But a corporation nearly effected in 1815 what had been so resolutely opposed for more than a half century. At an early day after his patent had been obtained, Fulton associated himself with Robert R. Livingston, of New-York, with the view of monopolizing the trade of the western states and territories. Failing to procure a charter from several legislatures to which they applied, they finally obtained, in 1811, an act of incorporation from "Orleans Territory," granting to them the exclusive right "to navigate all vessels propelled by fire and steam on the rivers in said Territory." By an abuse of its powers, the Territorial Legislature sought to place in the hands of a soulless monopoly, the keys to western commerce—an occlusion of the Mississippi, as fatal to trade as that attempted by the French government in 1802. That corporation laid its relentless grasp on the Father of Waters, resolved not to relax its hold, but to extort tribute, from all coming time, from the people of half the continent. It dared not rely on Fulton's patent, for

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the invention of Fitch claimed precedence, and French's ingenuity had secured a patent equally valuable; hence it sought, by corporate privileges, as wealth has ever done, to make trade subservient to the aggrandizement of the few, instead of leaving it open to honorable competition. Among those who felt indignant at the outrage, Capt. Shreve stood foremost. He determined to resist such exactions, in every way known to the laws of the land. Anticipating that a protracted legal controversy would commence as soon as the steamer "Enterprise" arrived at New-Orleans, he had consulted whilst there with his barge, in the spring of 1814, A. L. Duncan, Esq., one of the most prominent members of the bar, (subsequently one of Gen. Jackson's Aids,) and gave him five hundred dollars as a retaining fee, together with a bond for fifteen hundred more, to be paid on the successful termination of the impending suit. That foresight was fortunate; for, on learning that the "Enterprise" was on her way down the river, the Company retained in its service the whole New-Orleans bar, and offered to Mr. Duncan three thousand dollars if he would remain silent. But that patriotic lawyer frankly replied that he was Capt. Shreve's counsel, and had advised him to oppose the pretensions or demands of the Corporation. On the first arrival of that steamboat, however, New-Orleans was under martial law, and she was not seized until May 6th, 1815, the day fixed for her departure for Pittsburgh; but his counsel, anticipating the step, had the necessary bail ready. The "Enterprise" was accordingly released, and pursued her voyage. In a few months the trial took place, in the inferior court, and the jury promptly returned a verdict in favor of "free navigation." The cause was removed by writ of error to the Supreme Court of the Territory; and the act of incorporation was there pronounced unconstitutional, in the year 1816. But that colossal monopoly resolved not to relinquish its unjust privileges on the first defeat. Hence, when the "Washington" reached New-Orleans, in the fall 1816, she was also seized, and Chptain Shreve arrested. By advice of his counsel, he refused to give bail, and the officer expostulated with him strongly, offering to receive his bond without sureties, rather than take him to prison. Whilst they were conversing, however, the rumor had spread along the levee, and an immense crowd collected, determined to oppose the arrest. At the request of Capt. Shreve, no outbreak occurred, and he agreed to go to the office of Mr. Edward Livingston who, with John R. Grymes, was the principal counsel for the Company. The crowd followed; but on reaching Mr. Livingston's office, Capt. S. was prudently released. The steamer, when seized, was instantly abandoned to the Marshal; and Mr. Duncan applied to the Court for an order on the Company to give bail for damages, caused by her detention. Messrs. Livingston and Grymes resisted the motion, but it was granted. They then became seriously alarmed for their monopoly. Public sentiment cheered on their opponent, eminent jurists sustained his cause, and he could not be intimidated into a compromise. Messrs. Livingston and Grymes offered him in behalf of their clients, *one half of all the advantages of their monopoly*, if he would instruct his counsel to so shape the defence as to cause a verdict to be rendered against him. The temptation was powerful, but he had commenced the controversy for other objects than private gain. He felt the force of his position—that on him hung the right of free navigation—that his companions on the waters of the West looked to him as their leader and representative in the struggle;—and he was equal to the occasion. He had dared to risk his fortune in a contest, single-handed, against the most

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powerful monopoly of the times, and the same spirit which prompted him to resist at first, impelled him to spurn the base bribe, although it promised boundless wealth. The issue was a triumph which unsealed the arteries of the Mississippi Valley.

(TO BE CONTINUED.)

FRENCH CRITICS AND YANKEE FOIBLES.

(Continued from Vol. XXI.)

In the continuation of the gossiping remarks of the Baron de Boigne upon American manners and things, he displays considerable play of fancy and more or less good humor, through which occasionally peeps out a considerable degree of conscious condescension in the manner in which affairs are generally treated. There seems so little regard to accuracy even when figures are attempted, as to excite surprise that any pretence to make statements should have been set up, rather than to give the whole for what it really is—matters of fancy. As, for instance, where the Baron, in the easy flow of his periods, informs his Parisian readers that the Horseshoe Falls connects "both banks of Canada," he gives them but a very vague idea of the geography of the place, and is rather inclined to magnify even our Great Falls, when he tells them that the water falls 158 *yards* instead of 165 *feet*. Now, the latter is a *good fall;* but the Parisian who visits the Falls, having formed his idea on the Baron's statement of 468 feet, will be inclined to feel disappointed. Again, our traveller tells us that Michigan is the "largest lake," and that "Superior," (the name of which might have suggested to him that his statement was in error,) with Michigan, St. Clair, and Erie, form a ladder of lakes, "each step of which descends 100 feet." The good gentleman should have consulted, among the myriads of white headed urchins, with whom, like all travellers, he must have met in abundance, some youthful geographer, who would have told him, that Lake "Superior" derives its name from its superior size; that it is 40,000 square miles of surface, or one fifth of France; while Michigan is but 25,000, scarcely more than half; that in his enumeration of lakes he left out a respectable sheet of water, called Huron, of 25,000 square miles of surface and 1200 miles of circuit, while St. Clair is in fact 100 miles in circuit only; that the descent is far from 400 feet in four "steps," Superior being above the level of the sea, 623 feet; Huron and Michigan on the same level, 28 feet lower; Lake Erie is 30 feet lower, and its outlet descends 334 feet in 33 miles. Of this descent, 51 are the rapids in half a mile, and 165 feet the perpendicular fall of the water, which flows into Lake Ontario 231 feet above the ocean. From these facts it will readily be gathered that our Parisian traveller by no means sought to *instruct* his readers by the results of his travels; and we think, through a sagacity peculiarly French, he has discovered charms at Newport that have not been developed to the American world generally.

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CHAPTER VI.

THE FALLS OF NIAGARA.

About eighty miles separate Geneseo from the Falls of Niagara. The route is remarkable for nothing but the number of gray, black, or yellow squirrels, which are seen running through the woods or climbing the trees.

At Buffalo commence majestic forests, which extend as far as Niagara. These are genuine forests, so genuine, that America herself can scarcely produce their like. Elsewhere, the traveller meets groups of trees—woods more or less dense. From Buffalo to Niagara, the rail road has cleared a passage, between a double rampart of gigantic oaks, of enormous pines, impenetrable to the sun, to the rain, and almost to the light of day. We feel an emotion of respect, an emotion of pity, for these old giants, which have reigned for ages over these ancient forests, and which fall, day by day, beneath the axe of the woodman. When the axe does not do its work with sufficient expedition for impatient souls, who must have money at any price, fire comes to the aid of iron.

At Niagara these immense forests cease; the land ends; the reign of water begins. Upon the border of the Falls rises the village of Niagara, which belongs entire to general Porter. This general Porter is the *Marquis de Carabas* of the surrounding country. He inhabits a very handsome brick house, which, among all these houses of wood, is quite of luxury. The general has the reputation of exercising the most liberal hospitality toward those strangers who seek it of him, but as this is never the case, it costs him but little to maintain his reputation. One day, however, an eccentric traveller, who wished to see and become acquainted with everything at Niagara, wished to see, and become acquainted, also, with general Porter. Seeing that he was dealing with an original, whose example was not likely to be imitated, the honorable general consented, without much murmuring, to perform the parts of an amphitryon and cicerone. The stranger was inquisitive; he wished to know to whom belonged the farms, the houses, the lands which he beheld in his walks, and M. Porter, invariably replied: "They are mine, sir." This monotonous response, at last, annoyed the traveller. "And the Falls of Niagara," he said, thinking to nonplus him, "do not these also belong to you, general?"—"Certainly they belong to me, sir," replied M. Porter once more, and he spoke the truth. He had purchased them from the American government, for the enormous sum of two hundred and eighty francs. It was money well invested, since, for more than twenty-five years, these two hundred and eighty francs had brought him forty thousand francs a year, with the improvements into the bargain. Improvements! for what purpose? The general shrinks from improvements as he would from the yellow fever; he is very careful not to diminish the picturesque and gloomy wildness of these places. He is afraid of civilizing, and spoiling his cataracts; he leaves to themselves the paths which border the edges of the precipices, and the numerous little bridges which traverse his property. Evil tongues, and they are found every where, pretend that this respect arises only from economy. M. Porter protests against this calumny; at all events, it were better to have less respect and better bridges.

The Falls of Niagara are three in number; the American Fall, the Central Fall, and the English Fall. The latter, the most beautiful of the three, is shaped like a horse shoe. It is seven hundred and forty yards wide, and a hundred and fifty-eight high: it unites the two banks of Canada. The English fall enjoys an advantage denied to the two others. Such is its

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impetuosity that, in falling, its waters describe a curve of fifty feet. It is here, during the summer, that, between a wall of granite and a wall of water, a crowd of visitors come to walk and to sit. For this expedition it is necessary to provide oneself with a suitable costume and with a heart of brass. Woe to all those who have weak nerves! this voyage, half aerial, half submarine, is but ill suited to them; if the foot slips, if the head turns, it is death, without the slightest hope of safety. But once ensconced behind this magic curtain, what a splendid compensation for the dangers incurred in reaching it! We seem transported to one of those thousand palaces, which Neptune possesses in the depths of the waters. Is it a dream? is it a scenic decoration? Minds the most unimaginative yield, in their own despite, to poetic emotions, and create for themselves a fantastic world of fresh naiads and of chubby tritons. Unfortunately, the prosaic humidity which chills the limbs of these waking dreamers, recalls them to reality, and their paroxysms of mythology disappear before the fear of a catarrh.

The American Fall is eight yards higher, but four hundred and ten yards narrower than the English Fall. As to the Central Fall, a poor and miserable cascade, we are ashamed to say that it is only twenty yards in width.

These three Falls, united, form in falling the river Niagara, across which ply, from bank to bank, light skiffs. Three times a day a small steamer carries passengers from one fall to another. After having passed an hour on board the "Maid of the Mist," we can say not only that we have seen the cataracts, but that we have touched them. The "Maid of the Mist" does all in her power to merit her name; she véntures so near the Falls that the passengers are deluged by the watery spray. The air is enamelled with a shower of emeralds, turquoises and rubies. A deluge of rainbows dart aloft, and fall back into a sea, sometimes calm, sometimes turbulent, sometimes white as milk, sometimes transparent as the purest crystal. The idea of running a steamboat upon Niagara river could only enter the heads of Americans, thanks to their love of gain. At the slightest derangement of her machinery, the boat would be carried down to the Rapids, and dashed in pieces. The Rapids never release their prey, and the *Whirlpool* is even more greedy than the greedy Acheron. An immense and furious vortex, a vast circular basin, hollowed by the waters between two mountains, the *Whirlpool* boils and rolls incessantly upon itself. The pieces of wood, wrecks, bodies, which are precipitated from the Falls, when they reach the *Whirlpool*, never leave it. The *Whirlpool* is the common tomb of the American smuggler and the English deserter, who are tempted by a passion for money, or for freedom, to try the perilous passage of the Niagara. During entire months their bodies float upon the surface of the waters, lashed and torn by the waves.

Towards the end of June, a young boy of twelve or fourteen years of age, was fishing not far from the Rapids. Too familiar with a danger which he braved every day, he allowed the current to gain upon him; and his bark was hurled like an arrow in the direction of the Falls. The boy's courage did not forsake him. He continued to row with all his strength, when a terrible shock crushed his bark. The young fisherman then endeavored to swim to the shore. From either bank he could be seen, struggling against death, but no one ventured to go to his assistance. In a few seconds, a piercing cry, a single one, was heard—all was over. A week later, his body had reached its last resting-place, the cemetery of the *Whirlpool*, where the inquisitive, with opera glass in hand, could contemplate it at their ease.

The Falls of Niagara will forever remain the most extraordinary of panoramas. To say that they rush like unchained winds, that they roar

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like thunder, would be a feeble expression of the truth. These cataracts are above all comparison. The torrents of the Pyrenees—a jest! the cascades of Savoy and Switzerland—trifles! the Falls of the Rhine—a parody! These cataracts have, for reservoirs, lakes, which in themselves alone contain half the fresh water in the world. They have nothing in common with those petty torrents, with those parched cascades, which during the summer season, dry as the throat of a drunkard, who has not quenched his thirst for four-and-twenty hours, implore the coming of rain, or the melting of the snows. Niagara never pauses a day, an hour, a minute. Four vast lakes, at a distance of twelve hundred miles, place their watery treasures at its disposal. First, there is Lake Superior, which is not less than fourteen hundred miles in circumference; then, Lake Michigan, the largest lake in America; then, Lake St. Clair; and, lastly, Lake Erie, which has the honor to bathe four States of the Union, New-York, Pennsylvania, Ohio and Michigan. From this ladder of lakes, each step of which descends a hundred feet, torrents rush onward with an impetuosity, which men have contrived to calculate and reduce to figures. Supposing a current of six miles per hour, the quantity of water which dashes over the Falls, during one day, may be estimated at 1,225,125,000 tons; during one hour, at 102,093,750 tons; during one minute, at 170,156 tons; during one second, at 28,359 tons.

CHAPTER VII.

SUMMER IN AMERICA—THE WATERING-PLACES AND THE SEA SIDE.

In summer the cities are deserted; not because the heat, like that of India, scorches the frame and dries up the blood, but because fashion decides that the inhabitants shall travel; and fashion, whether false or true, is, in America, one of those creditors, whose bills none like to leave unpaid. Still the Americans have not yet attained that refinement of civilization and of vanity, acquired by certain Parisians, who may be called the martyrs of summer. They have not yet learned to shut themselves up in their houses, to barricade themselves behind closed doors and windows, in order to have it believed that they are scattering gold upon the high roads, or living like great lords upon their estates. They are contented to repair, in reality, some to Rockaway, others to Newport, the Dieppe of America; others to Saratoga, the trans-Atlantic Baden. The merchants shut their shops, the lawyers shut their mouths—those word shops; the physicians suffer their patients to repose and to live. These excursions have, at least, their advantages. The inhabitants of New-York are highly privileged. Upon this magnificent bay of Sandy Hook, Heaven has placed near them, and for their enjoyment, the charming little isle, called Staten Island. With one foot on the island, the other in New-York, they are within reach of the two things which they love best in the world—their counting-houses and their families. Steamboats, starting hourly, transport them in a few minutes, in the morning to their business, in the evening to their country houses. Those who do not own villas, take lodgings at New Brighton, the capital of the island, in an hotel, or rather, a vast barrack, kept by Blancard, a Frenchman.

Life at New Brighton is far from being gay. The proximity of New-York, the facility of combining business with pleasure, render it a resort but little fashionable, and the visitor meets there families of doubtful elegance only, and men of a secondary position. New Brighton has no

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rank in the hierarchy of American watering-places; it is not even classed Poor New Brighton! And still, if there were justice here below, instead of a fashion more powerful than justice, New Brighton, with its walks, its woods, its situation, would bear away the palm from Newport, which is the most wretched, but the most fashionable place in America.

Newport stands side by side with Saratoga, whose waters the late M. Purgon, had he known them, would have prescribed to his patients. But, in the eyes of connoisseurs, it possesses an incontestable superiority in its sea-bathing, which will remain a source of perpetual despair to Saratoga. Every morning, clothed in the prescribed garb, wrapped in flannel from head to foot, the young people of both sexes come to seek and receive the surf. The two sexes are separated in distinct groups. But a charming privilege is allowed to those young men, who are so fortunate as to possess, at least, a sister. They are allowed to lend them their services in the place of those hired bathers, who carry them in their arms, and plunge them in the sea. In the confusion of the waves, for a sister that one loves, one can mistake a fair friend that one loves still more. The error is excusable. It is said that certain young men, whom nature has not blessed with a sister, hire, for the season, at Newport, a temporary one, a precious relative, who enables them to join the attractive groups of female bathers.

It is rare that a season at the waters is not crowned by some marriages, which have commenced beneath the wave.

Saratoga has nothing to oppose to the mysterious charms of the sea-bathing at Newport. But it still attracts those families ridiculously prudish, the small number of papas and mammas, who fear for their daughters the too dangerous bathers of Newport. At Saratoga they display the most prodigal luxury and extravagance in dress. It is a fair title of glory for a young girl to have reigned for a whole season, or even half a season, the belle of the waters at Saratoga, and for six months afterwards in the city which she honors with her presence during the winter, she reaps the fruits of this royalty decreed during the summer to the most elegant —and to the most frivolous.

After Newport and Saratoga, follow a crowd of secondary watering-places. Virginia, for her share, counts, at least, half a dozen—White-Sulphur, Richmond, Berkely, &c.

Situated between two mountain gorges, the society of Berkely is but little remarkable for its elegance. Its *fashionables*, of both sexes, come from the West, and that is enough; the people of the West are the ultra-provincials of America. Certain distinguished families of Baltimore—and Baltimore has just claims to distinction—have occasionally, but always unsuccessfully, endeavored to impart a kind of galvanic life to Berkely. During the present year the family of Bonaparte has fixed its residence here for the summer. This branch, but little illustrious, and now a stranger to the other branches in Europe, is composed of Mrs. Patterson, the first wife of Jerome, King of Westphalia, and of her son and grandson. When young, Jerome's son was the exact image, not of his father, but of his glorious uncle; one would have called him a five franc piece endowed with life. To-day this extraordinary resemblance has disappeared; the nephew of the Emperor has the bronze hue of a Mexican, the round shoulders, and air of a wealthy citizen, who has passed the age of pretensions. For a Frenchman, thrown by chance into the society of Berkely, the familiarity which surrounds this name, so popular and so highly respected elsewhere, has something repulsive and painful. On promenades, at table, at every moment, and in every place, he hears—"Good morning, Bonaparte! Bonaparte, will you have some

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chicken? Bonaparte, what have you been doing to-day?" But even this would be nothing, were it not that some, less familiar, have seen fit to add to this illustrious name the appellation of Mr. Mr. Bonaparte! How these two words clash together!

Before concluding these fugitive sketches, I have resolved to give a slight summary of my thoughts upon the men and institutions of the country through which I have travelled:

The married women?—In general, love, not precisely their husbands, but their household.

The young girls?—Have all the liberty which the married women enjoy no longer.

The men?—Have two objects of worship; during the week they worship the god Dollar, and on Sunday they worship the God Almighty.

The children?—Are born complete men.

The people?—Know how to cipher, read, write and vote.

The President?—Is more truly a king than a constitutional king in Europe; but he reigns only four years.

The railroads?—Ill made, ill kept in repair, tedious and dangerous.

The horses?—Can distance the locomotives.

The steamboats?—Prodigious, magnificent, innumerable upon the rivers.

The bridges?—There are no bridges.

The army?—Composed of volunteers who fight well, but with watch in hand. When the term of service has expired, they bid the army good-bye, with the punctuality which belongs to freemen, and leave to their successors the glory of vanquishing.

Commerce?—Every body is engaged in it; all form partnerships to sell something

The physicians?—Form partnerships to heal maladies; they create, not houses of health, but houses of commerce.

The lawyers?—Form partnerships, like the physicians; and, as the physicians sell health, they sell words, like merchandise.

The domestics?—Are all Irish. It is astonishing how soon they acquire a feeling of their personal dignity, as they get rid of their dirt and grow fat. They are of opinion a freeman may receive wages, but that he should do nothing to earn them.

The cookery?—Bad.

The banks?—Bank! as the great Bilboquet* would say.

Boston?—Hush! an English city.

New-York?—The great Babylon of America.

Philadelphia?—Literally—City of Brothers—thus baptized, without doubt, on account of its frequent and murderous riots.

Police?—0.

Note. The pigs run at large through the streets.

Paupers?—0.

Imposts?—0.

Octrois?†—0. But advantageously replaced by taxes.

Stamp tax upon the journals?—0.

Imprisonment for debt?—0.

Passports?—0.

Arts?—0.

Public walks?—0.

Public monuments?—0.

Democracy?—They already say: Mr. A. is a true gentleman.

* Jeremy Diddler.

† A tax levied on provisions and other commodities brought into a city.

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FINANCIAL AND COMMERCIAL REVIEW.

The pressure on the money market noted at the date of our last has continued throughout the month. The banking institutions have persevered in a strictly stringent course and business paper of the best descriptions, embracing that of importers generally, has been sold at 1½ and 2 per cent. a month freely. The jobbers appear not to have been so severely pressed, their obligations maturing not until the present month and later. Notwithstanding this difficulty with paper having definite time to run, money could be borrowed "at call" on stocks, allowing a reasonable margin at the legal rates, say seven per cent. The condition of money affairs presents a singular anomaly in the history of our commerce. The general relations of the interior to the cities, and of the latter to Europe, are very different from any state of things previously experienced. Hitherto we have been an agricultural country without any very adequate market for the productions of the soil. The seaboard and commercial cities have been the chief customers for farm produce. It is obviously the case that in a country like ours, where extreme poverty is no where prevalent, that the quantity of food which a commercial city will consume has a natural limit, beyond which a market cannot be forced. On the other hand our fertile and limitless west, under the hands of energetic and intelligent cultivators, brings forth limitless quantities, and the wants of the producers in the shape of supplies and manufactured goods are for the most part restricted only by the extent of sales. It has therefore been the case that the unaided purchases of the seaboard have not been sufficient to supply the agricultural interests with all their wants; hence they have uniformly been in debt to the cities, New-York chiefly; or in financial phrase, exchanges have been in favor of New-York. When a money pressure took place, it was mostly because the cities were in debt to Europe for goods supplied to the country, and the payment of which from the latter it was difficult to collect. The establishment of banks was the machinery by which the country was kept in debt to the cities. It was through ability to discount notes that the jobber took the note of the country dealer, payable at the bank in his locality. It was preferred that the notes should be payable in the neighborhood of the maker, because its nonpayment would more directly affect his credit, and he would use every effort to meet it. The goods he bought on that credit he sold on time to his customers, waiting until "next crop" to pay. If his note fell due, he could meet it, by procuring a discount from the local bank, which operation was merely shifting the direct debt to the city dealer from himself to the bank. The city merchant deposited the note with his city bank, by which it was sent to the country bank for collection. When paid into the latter, the city bank was notified and the merchant received credit on their books for the amount. The payment was not actually made, but became a "balance due" from the country to the city bank; when the city banks were pressed, they enforced the payment of these balances, and the country banks were compelled to send specie; the crops being short, the dealer could not collect, he could not therefore meet his note, and the whole community clamored for more bank capital, while a general suspension took place. During the last year all this has been reversed. The demands of Europe have been superadded to the consumption of the seaboard, and sales of produce are 50 per cent. more than ever, while the absence or restricted action of the country banks has kept the purchase of goods moderate. The country banks, where they exist, have discounted drafts drawn against "shipments," and the flow of produce to the Atlantic has accumulated credits in the cities in favor of the interior in excess of the purchase of goods. In order to estimate this great change in the preponderance of balances, we may compare the last two years with 1835–6, which ended in the suspension of 1837, and 1838–9, which ended in a second suspension, as follows:

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	Net Import. Specie.	Goods.	Increase Imp. Goods.	Net Export. Produce.	Increase Ex. Prod.
1835	$6,653,672	129,391,247		95,560,880	
1836	9,076,645	188,233,675		101,625,533	
			$58,842,428		$6,064,653
1838	13,458,070	95,970,290		100,460,481	
1839	—	151,870,876		106,570,942	
			55,900,586		6,110,461
1846	286,315	110,046,859		101,718,042	
1847	22,276,170	116,258,310		150,574,844	
			6,209,471		48,856,802

These figures show a complete reversal of the whole order of business. The results recapitulated are as follows:

	1836.	1839.	1847.
Increased Import Goods	$58,842,428	55,900,586	6,209,471
" Export Produce	6,064,653	6,110,461	48,856,802
Excess Goods	52,777,775	49,790,125	
" Produce			42,647,331

In those former years, suspension inevitably resulted, because the cities owed Europe for near $50,000,000 worth of goods, which the interior had consumed, and could not pay for. The cities have now purchased of the interior $42,647,331 of produce, which they have sent to Europe, and cannot readily get payment thence; hence, instead of the current of debts being from the interior through the cities to Europe, it is from Europe through the cities to the interior. The effect of this upon the bank balances of Massachusetts and New-York is seen as follows:

	Due from Boston.	Due to Country.	Due to Mass.	Due from Mass.	Due from N. Y. State.	Due from Country.	Due to Country.	Due from N. York.
1839	561,102	2,062,215	1,501,113	—	3,250,205	2,358,781	—	6,608,986
1846	1.967.343	2,250,421	—	283,073	5,154,715	—	1,504,886	3,649,829
1847	4,808,714	3,116,753	—	1,691.961	9,256,815	—	2,948,560	6,308,751

In 1839, the New-York and Massachusetts banks sustained themselves, while all at the south and west went down. This year, instead of there being $1,501,112 due Massachusetts from banks in other states, Boston owes the banks in other states $1,691,961, and its whole balances were $4,808,714 against, instead of 561,102 in 1839. It is for this reason that the pressure there has been so intense. The same feature to a greater extent is apparent in the New-York returns. The city banks owed over 9¼ millions in December, in balances, to the interior, while the commercial capital, locked up in produce, which could not be readily realized, was farther depleted for the payment of goods imported, and was also exposed to the financial operation of the London houses. Such a combination of circumstances was calculated to produce an almost unexampled pressure upon the seaboard, while the interior was comparatively free from distress. The difficulty of negotiating bills, and the improving state of the foreign markets, checked exports, and caused stocks to accumulate in the cities, while prices fell. In the city of New-York, the exports for December were, as compared with previous years, as follows:

EXPORTS FROM THE PORT OF NEW-YORK, FOR DECEMBER.

	1843.	1844.	1845.	1846.	1847.
Specie	$132,689	645,915	133,786	—	1,788,867
Foreign free Goods	71,798	20,498	43,822	65,878	29,178
" dutiable "	224,682	344,042	101,973	118,345	97,923
Domestic Goods	1,497,668	1,468,632	2,516,733	4,211,300	1,944,694
Total for Dec.	1,926,237	2,479,087	2,796,314	4,395,523	3,840,662

The exports of specie for the month w re large, and the decline in the quantity of American produce sent abroad very considerable, notwithstanding that it was in ample supply and freights low. This, by reducing the quantity of bills offering, considerably supported the rate of undoubted paper, and gradually produced a real scarcity, when be-

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fore it was only artificial. It is, however, the case that the pressure has, to a very considerable extent, produced a counter order and suspension of orders given for goods. The actual spring importations will not, in any degree, equal the original orders sent. In the mean time the money market of England is slowly recovering. The influx of specie into the Bank of England, noticed in our last number, has continued, and the amount on hand has now again reached the important sum of $12,000,000, and the rate of interest from 8 to 9 per cent. has been reduced to 4½ a 5 per cent. as the *minimum* bank rates for the best paper; but the distrust of second rate had, at the latest dates, by no means been removed, nor was there any rate for discount of that class of paper. There can, however, be no continued cheapness of money on the part of the Bank without its gradually finding its way into all the channels of business, and reviving that demand for produce which the absolute paralyzation of all enterprize had destroyed. The railroads, above all other enterprizes, had been mainly instrumental in promoting the demand for foreign produce. The money pressure causing those concerns to suspend, has thrown out of employ some 500,000 persons and their families, on whose part large purchases of food will become impossible. The low price of money will probably again revive the railway "calls," and with the revival a renewed demand for produce, in addition to the actual deficit in Ireland, will be experienced. On the 1st of March, however, the sliding scale of corn duties will be restored, probably because the declining revenues of the government require the revenues to be derived from them; otherwise it is not easy to account for the restoration by a free-trade minister of corn duties, that, under existing laws in 1849, are to be repealed altogether.

The present suspension of Sir Robert Peel's act for the amendment of the Corn Law, expires on the 1st of March next. It appears from the answer given by the President of the Board of Trade to an inquiry which was made on this subject, that it is not the intention of the government to propose a further suspension of that law. Should there be no further legislation on the subject, an event quite probable, the import duties on wheat will be regulated by the following scale:

When the average price of wheat, for six successive weeks, is under 48s per qr.,	the duty will be 10s per qr.	
" 48s and under 49s	9s	"
" 49s " 50s	8s	"
" 50s " 51s	7s	"
" 51s " 52s	6s	"
" 52s " 53s	5s	"
" 53s and upwards	4s	"

The following are the weekly averages of prices throughout the kingdom, returned in the last six weeks, the aggregate average being 52 shillings per quarter.

	Wheat.		Wheat.
Nov. 6	52s 4d	Nov. 27	52s 11d
Nov. 13	53s 8d	Dec. 4	62s 1d
Nov. 20	54s 3d	Dec. 11	51s 11d

There have been considerable exports of flour and grain from New-York, to go into bond prior to March 1st, to take advantage of the anticipated rise that duty may produce after that date. It is no doubt the case that had the supply of shipping been last year equal to the emergency, the quantity of produce sent hence to England would very much have exceeded the actual shipments. At this time last year, the freight of a barrel of flour was 8s. sterling, or $2 per barrel, and grain 30d. or 60 cts. per bushel. The former is now 1s. 6d., and the latter 6d., making a difference of $1.62 per barrel in the freight, while the price is nearly the same. The quotations for breadstuffs in this market have been as follows:

	Jan. 1.	Feb. 1.	Mar. 1.	Apl. 1.	May 1.	June 1.	July 1.	Aug. 1.	Sept. 1.	Oct. 1.	Nov. 1.	Dec. 1.	1848. Jan.
Genesee.	$5 50	$6 87½	$7 00	$7 37½	$7 87½	$8 25	$7 25	$6 50	$5 75	$5 75	$6 62½	$6 25	$6 25
Corn.....	74	1 05	1 00	96	1 00	1 12½	98	77	75	70	76	75	75
Rye.....	85	86	95	90	94	1 25	1 07	80	93	81	96	90	87½
Oats.....	40	50	47	42½	52	63	48	53	47	54	50	50	45
Barley....	63	76	83	75	70	—	—	54	—	—	—	75	82

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The high freights, as we stated in our article at that time, caused a great activity in ship-building, and the increase in 1847 over 1846 was over 55,000 tons, mostly seagoing ships. The suspension of the English navigation laws, so as to permit foreign vessels to bring to England produce the growth of other countries than that of the vessel, had the effect of sending hither a large tonnage, to take advantage of the high freights. The tons cleared distinguishing the flag and produce shipped in each, were as follows:

	Tons.			Produce shipped in		
	American.	Foreign.	Total.	Am. ves'ls.	For. ves'ls.	Total.
1845	2,053,977	930,275	2,984,252	75,483,123	23,816,653	99,299,776
1846	2,221,028	968,178	3,189,206	78,634,410	23,507,483	102,141,893
1847	2,202,393	1,176,605	3,378,605	97,514,472	52,796,192	150,310,664

The American tonnage was, it appears, fully employed at enormous freights, and its utmost capacity at prices equal to $2 per barrel for flour was only equal to the transportation of $97,514,472 of produce. If the transportation had been limited to their capacity, that would have been the limit of the exports, inasmuch however as that foreign vessels had unusual privileges granted them by England, which was compelled to get grain as she could, the means of transport were enhanced 208,427 tons, and the United States had the sale of $52,796,192 more produce than would have been the case had foreign vessels not been available. For the coming year, the supply of produce will be large and freights low. Should therefore the reviving trade of England again enhance demand, the vessels will be in far better condition to supply any quantity. The supplies in Europe are indeed good, but the same causes which produced enormous consumption in Great Britain are in operation to bring about similar results there, viz: the enormous railway expenditure. The calls in Paris, for 60 days, amount to 100,000,000 francs—say $20,000,000. Belgium, Bavaria and Austria are also contracting large loans for the same objects. These must cause a diminution of the surplus food of Europe through increased consumption, and promote the interest of the United States in relation to the English demand.

The finances of the Federal Government have had an exceedingly beneficial effect upon the general state of the commerce of the Union, notwithstanding the untoward circumstance of a large war expenditure. During the past year, according to the report of the Secretary of the Treasury, has arrived in the country as above stated, a net amount of $22,276,170 of specie, of which near $20,000,000 came from England in gold. Nearly all this large amount passed into the hands of the Treasury, and was coined into American pieces. The whole receipts of the Federal Government for eleven months, ending with November, 1847, were $48,667,826, and the disbursements $48,226,516, making an aggregate of $96,894,142 received and paid out in specie by the Federal Treasury in eleven months. These receipts were for loans, lands, customs, and all other modes, by which money flows into the department. Of the whole amount, near $30,000,000 was received at New-York, according to the following official report:

U. S. Assistant Treasury Office,
NEW-YORK, Dec. 2, 1847.

Hon. R. J. WALKER—
&c. &c. &c.

Sir—In obedience to yours of the 24th ultimo, requesting a statement of the specie deposited in this office in each month, from the first of January, 1847, to the close of the month of November, I make the following Report:

January	764,804 91	July	3,127.112 10
February	3,476,822 89	August	5,763.787 53
March	1,959,685 00	September	2,119,412 06
April	3,679,597 47	October	1,253,361 68
May	3,516,503 67	November	620,955 83
June	3,623,001 05		
			$29,904,744 19

In addition to the above, there has been received from the mint of Philadelphia, as follows:

July	$200.000	September	400.000
August	400,000	November	1,875,000

Your obedient servant,
WM. C. BOUCK;

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The operation of this current into the Treasury was to effect the coinage of the foreign money as fast as it arrived in the country, a process, which in the last few months has had a powerful conservative influence upon the position of the banks of New-York. Those latter institutions have usually, through the absence of a mint in New-York, and partly through an absurd notion that their own interests would not be promoted by making American coin too plenty, held mostly foreign specie, principally sovereigns. In the last four months, since the pressure has been severe in England, the most prompt means of placing money in London has been seized upon without much regard to expense, all the sovereigns that could be had have been sent back. In the month of December, $1,648,346, and in the first half of January, $1,500,000 in sovereigns were sent to England, and they became very scarce in New-York, so much as not readily to be obtained. The specie, $9,000.000, which the banks held November 1st, was reduced to $4,200,000 January 16th. Of the $6,000,000 which has been exported since October, none of it is American coin. Foreign money not being a legal tender in England, its value is only that of bullion, and is purchased by the bank at the rate of £3 17s. 9d. per ounce for standard gold. Light sovereigns or American coins have no currency in England. They must be sold as old gold, any given weight of which is worth materially less than the same weight of coin. English heavy sovereigns cannot be exported to advantage when the price of good bills is under 110; and as American coin is worth at least 1½ per cent. less for remittance, it cannot be exported under 111½. The operations of the Treasury have, therefore, by coining all the gold that arrived, materially protected the banks by throwing obstacles in the way of the export of coin. They have also greatly promoted the soundness of the national currency, by putting the gold into a shape that will circulate freely. Foreign coins will not circulate freely; the people, generally, are not acquainted with their appearance and value, and great hesitancy is manifest in accepting a foreign coin. For this reason by far the largest amount returns to the hands of brokers, and through them tot he banks, which supply in exchange a paper circulating medium, with which at least the public are more familiar. The foreign coins thus remain in bank useless for all practical purposes, except shipment to England. Hed this been the case during the last four months, it is probable that where one dollar has been exported, three would have gone, and the solvency of the institutions long since have been jeopardised. The export, as we have stated, has been confined to foreign coins, and probably had those been more scarce, the amount sent away would have been less, for the reason that the movement has not grown out of an actual debt to England from the United States, but an artificial operation. The London houses could latterly command money in London at 5 per cent., and it has been worth 7 per cent. to 24 per cent. per annum in New-York, where their branches could sell bills on London at 111½, Under circumstances so favorable, the market becomes eased, or thus a branch by drawing on its principal at 11½ premium, and employing the proceeds of the bills here at rates over 7, when the money to meet the bills there can be had at 5½, makes a good operation. As the season progresses and bills fall, they may be purchased at perhaps 107 a 108, and the London house thus reimbursed. It would seem also the credit of the United States being good in Mexico, and specie freely obtainable for the government drafts, it has been necessary to send but a small amount thither. The report of the Quartermaster's Department states as follows:

The 20th section of the Independent Treasury Law provides, that

"When means are furnished him (the disbursing officer) in drafts, shall cause those drafts to be presented at the place of payment and properly paid according to law, and shall make his payments in the money so received for the drafts furnished, *unless in either case he can exchange the means in his hands for gold and silver at par.*"

The law also allows of payment being made in Treasury notes at par, if the creditor assents. In Mexico, specie is the staple export, and most of the mines are worked by English companies, and the results shipped to England at great risk and expense. The miners have to send down the specie under guard to Vera Cruz, where it pays export duty, and is shipped per steamer to England. The United States officers present drafts on New-

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York, which will be promptly paid in specie on presentation, or they offer Treasury notes, which being available for all public dues, never go more than one or two per cent. under par. By purchasing these, the agent gets his specie in New-York without risk or expense; it may be thence remitted according to circumstances. On presenting a draft on the New-York Treasury, it is paid in American gold. This as we have seen is not a desirable remittance, and the owner will prefer giving 111½ for a bill rather than to send it. The seller of the bill deposites the American coin in the banks, whereas had the Treasury paid out foreign gold, it would have been immediately exported again. Treasury notes are at one per cent. discount, and therefore become the best medium of payment into the custom-house. The department by this means is deprived of specie income, its notes being under par cannot readily be paid out, but from their value as a remittance, will readily command specie at par in Mexico. On the 1st of January they were at par a ½ premium in New-Orleans, and at 1 per cent. discount in New-York. On being remitted from Mexico, these notes are readily sold, and place the seller in funds to remit to England. It has been the case that during the month, those who sold bills on England, exchanged specie for Treasury notes, in order to enable those who had not completed their instalments of the last loan to do so, so curiously do financial affairs operate.

The money market of New-York has also been disturbed through the operations of the pressure upon the free banks of New-York State. In the early part of 1847, a bank mania existed to a considerable extent, not so much for purposes of legitimate banking business as for the mere object of profit, by issuing a depreciated paper money. The New-York free banking law permits the comptroller to receive New-York state stock as security, and issue circulating notes to the same amount; hence the desire to profit by this privilege induced large purchases of stock. In order to observe the mode of procedure we will turn to official tables. The following shows the State circulation on Nov. 1st, for three years:

NEW-YORK STATE CIRCULATION.

	Free Banks.		Chartered Banks.		
	City.	Country.	City.	Country.	Total.
1845	$1,584,753	3,959,558	4,245,770	11,565,288	21,375,319
1846	1,581,023	4,654,374	4,538,495	11,494,630	22,268,422
1847	1,916,219	7,404,115	5,690,362	10,236,556	25,247,256

It is observable that the country safety fund circulation decreased $1,258,074, and the country free banks increased $2,749,741, during three years. This latter increase was almost entirely on the part of so-called "banks" that sought only to throw bills into circulation, and make a profit by redeeming them at a discount. To do this they purchased New-York 5 per cent. stocks, for the most part with the notes they had obtained from the comptroller for stocks previously pledged. During the past year the amount of stocks so purchased has been as follows:

SECURITIES HELD BY COMPTROLLER FOR FREE BANK CIRCULATION.

	New-York Stock.						Other Stocks.	Total
	4½	5	5½	6	7	Total.		Securities.
1847	265,376	4,886,189	892,000	1,055,665	801,009	7,900,239	1,577,924	11,100,210
1846	227,976	2,543,141	485,000	601,592	615,136	4,472,845	1,772,700	7.835,850
1845	218,876	2,135,113	441,000	465,592	544,880	3,805,462	1,809,293	7,292,780
1844	216,157	1,788,721	402,000	298,100	359,927	3,064,905	1,938,448	6,583,870
1843	32,000	1,139,869	243,000	125,000	234.565	1,826,434	1,918,395	5,270,369
1842	100,000	763,637	70,000	118,200	174,000	1,225,837	1,025,254	4,737,285

Nearly three and a half millions of New-York stock were bought in the market, and mostly up to August, 1847. The effect of these large purchases was a rise in price, which took place as follows:

PRICES NEW-YORK STOCKS.

	4½'s.	5's.	5½'s.	6's.	7's.
January, 1847	94	95	99½	103	100¾
July, 1847	98½	101½	104½	107¼	104
January, 1848	90	92	98	100	100

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The bankers had by their purchases advanced the price on themselves. The advance induced capitalists, savings banks, and other prudent institutions, to sell. Hence the stocks went from strong into *weak* hands. As soon as the pressure came this process was reversed; all those banks that had been buyers became sellers. As fast as their notes were returned upon them they were obliged to return them to the comptroller, liberate stock and sell it for money to continue redemption. The consequence of this has been the fall in prices. Those banks which bought at 101½ in August, must now sell at 92. The banks, like silly Wall-street amateur speculators, raised the price of stocks in order to knock them down again at their own expense. The law should have allowed a large margin to provide for these fluctuations. This operation of the banks is exactly what Wall-street brokers call a "corner." As thus: a party hold all of a certain stock in their own hands. By means familiar to operators they induce a number of persons to sell them the stock on time. The seller hopes to buy the stock cheap, but they know he cannot buy it all, because they have got it all. When the contracts come due they charge him what they please. Twenty-two of the above banks, supposing that specie would not be demanded of them, or if it was that there was plenty to be got, engaged to pay on demand $1,879,151 of specie. They had but $29,848, but they supposed that they could get it if called for, by selling their stock. In the mean time specie left the city for the South and West, $6,000,000 was sent abroad, and the demand for it continued. These banks are called upon to meet their promises, and they are "cornered." Specie had become more valuable than when they promised to pay it, and they cannot get it without giving more stock for it than they supposed! The money market is now, and will continue to be, tight. Should as much stock, viz: $3,427,396, be forced upon the market as last year was *purchased* between January and August, it will operate injuriously on small stocks. It is observable that those who sold the stock at *par* may now buy it back at 90, being a profit of 10 per cent. at the expense of the foolish bankers. These buyers, however, anticipate that much stock *must* be sold, hold back until it goes to what they think the lowest price. This process of returning bills to the comptroller and selling stock is now going rapidly forward.

In all this affair it is to be borne in mind that the *security of the circulation is good*—that is to say, as good as New-York stocks, than which no payment can be more certain. They are worth *par* as long as a 5 per cent. annuity for a term of years is worth 100 cents. That *security* is, however, not *money*. To be equal to money the notes must at *sight* be available for all purposes whatsoever to which money is applicable. This convertibility can only be effected by *keeping the supply within reasonable limits*, or to allow the *issues to be made only in the way of business*, to be returnable to the issuer through the regular operation of business. This would, in a great degree, have been effected by the law requiring all these banks to redeem at *par* in New-York. Had this been in operation, none of the banks whose failures have alarmed and victimised the public, would have been in existence. They were called into being only by the profit which could be obtained by shaving the public in the half per cent. redemption. This difficulty has always been avoided in Boston, not by law, but by one city institution, which receives all the country money that comes into the city in the course of trade, at par, and promptly returns it upon the issuing bank for redemption. This compels them all to keep a fund in Boston to protect their bills at par, preserves the community from petty shaving and losses, in a much more efficient manner than any law can do it.

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GOSSIP OF THE MONTH.

DOMESTIC GOSSIP—POLITICAL.

Congress.—The collected wisdom of the nation is bothered, "perplexed in the extreme," as to what course to pursue on this tangled question of Mexico. There it stands staring them in the face, covered with eternal sunshine, whilst whigs and doubtful democrats are cowering in the shade. If they dared, many of the whigs would reiterate the Hartford Convention cry of "stop the supplies," but in these telegraphic days, the echo would travel too fast for the reputation of such questionable Americans. After a great deal of palavering in both houses which is not likely to bury the fame of either Cicero or Burke, *all* that the administration demands will be voted. Another illustration of the old fable, parturient montes, &c.

The Presidency.—Confusion grows deeper and darker on this grandest enigma of the day. Why is not mesmerism consulted that our agony may be over. Amid all the Richmonds in the field grave people begin to fear that we will be obliged to go without any President at all, for whilst hesitating whom to choose, the day may go by without any choice being made. This is a case not made and provided for in the Constitution; and will some of those quidnuncs, the Washington letter-writers, inform us what "on airth" is to be done if such good fortune should befall the country. Inasmuch as a great many sound minded persons think that it is all Mr. Polk's fault that we are at war, it may be fairly mooted whether the suppression of the Presidency is not a sure preventative against such stupendous evils in the future. But out of the scrub race for the autumn presidential stakes, who is going to win? that's the question. Which of the political studs has the best wind and the greatest bottom? Will he belong to the whig or to the other party; the winner of this greater than a Derby day? We have our shrewd suspicions on this subject, but of course we are too wide awake to tell them lest they should turn out wrong and compromise us. But on mature consideration, we are willing to commit ourselves to this extent, no farther. We are wholly and enthusiastically of the opinion that the man who is afraid to show his hand on the Mexican question stands no chance at all; but the man who holds the card on which is inscribed, in letters of light, as the papers say, "indemnity for the past, and security for the future," will be the drawer of the prize, the winner of the race, in plain parlance, President elect of these United States for the four years ensuing, and perhaps four more afterwards.

Mr. Calhoun.—This distinguished Senator has made his speech on the order of the day, Mexico. It will add to his ability as the first logician in the country, and an accomplished scholar. But it will forever destroy his hopes to be considered a profound statesman. A man who neither understands his epoch, nor responds to the sympathies of his country may be a great orator, but will never be the representative of either. It was a delightful treat to read the discourse of Mr. Calhoun, which bore the stamp of a cultivated and well-stored mind. How vastly superior in every respect to the illogical, unfinished stump oratory of Mr. Clay's last month. Mr. Calhoun is the only man in the Senate who can make a speech worthy of its character as the first legislative body in the world. The trash that is daily spoken there would disgrace a college-club.

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THEATRICAL.

Italian Opera.—Since our last, we had the opera of *Il Puritani*, by Mlle. Barili, the favorite of last season. Both failed completely this, and there we leave them. But what a splendid success we have to record in the production of *Lucrezia Borgia*. Everybody is astonished and delighted; and we may be allowed to take some credit for discernment respecting la Signorina Truffi. We declared her to possess the elements of a great artiste, and we did this in the face of the malicious criticisms of the friends of her rival Barili. Well, what is the result. La Truffi has taken the town by storm in the part of *Borgia;* her acting is incomparable, far superior to Grisi's in the same role, and not inferior to the great French actress, Mlle. George, who created the part. We are not inclined to trust our pen, which might run into extravagance, and we borrow the just and elegant criticism of our French contemporary, the "Courier des Etats Unis," written, we understand, by Baron de Trobriand, a young French nobleman, who married a lovely belle of New-York a few years since. "What a Lucretia is that of la Truffi; what threatening fire in her look; what imperious will in her gesture; what secret terror in her feigned affection. Of all the Lucretias we have ever seen, whether in drama, or opera, there is not one who like her has kept us suspended, and trembling under her terrible acting. Not one who has recalled to the stage, with such marvellous truth, that type, so great in its proportions, so sublime in its crimes, that we forget the wickedness to admire the grandeur of the character. Mlle. Truffi did not reveal herself in the *Ernani*, but in Lucretia she has surpassed all we ever hoped, Nothing was wanting to her triumph. Her singing was admirable; her acting magnificent, and her beauty royal." This is no more than strict justice, not one word of exaggeration. But *Benedetti* is deserving of equal praise; his acting was affecting and imposing, and his singing left nothing to be desired. It was altogether the richest operatic treat ever given in New-York, and establishes the success of the Italian opera on these shores. In our last we predicted that Truffi would become an "European celebrity," and now we feel no hesitation in foretelling that she will leave the boards of the Astor Place Opera to tread the stage of Her Majesty's Theatre, London, or that of la Salle Ventlasour at Paris. Let her persevere, and not lose her head by sudden renown, and she will yet make the old capitals of Europe ring with her name. Jenny Lind has no more merit, but the advantage of two excellent friends in Meyerbeer and Lumley. La Truffi will make friends, too, for genius commands them, and then a glorious career will dawn upon her.

The Park Theatre—has relapsed into its former degradation, and becomes once more an arena for the display of horses and monkeys. This is simply the result of bad management which is overtaken by failures because incapable of providing against them.

The Broadway Theatre is following in the same track, and is without attraction because it is without a manager of talent to produce it. Why does not its spirited, but inefficient proprietor give it to some one who will make his property valuable. After securing his interests, he can have only one other object, to see the really beautiful structure he raised, prosper, and rise in fame. If he could by any chance find a person at all competent to guarantee such a desirable consummation, we think he must be wanting in common sagacity if he do not take it.

FOREIGN GOSSIP.

HORRIBLE STATE OF IRELAND—SHOCKING DETAILS OF PRIVATE LIFE IN FRANCE, &c. &c.

In the absence this month of any prominent topics of domestic interest, wherewith to gossip with our readers, we think it may be useful to draw their attention to subjects, which though of foreign origin, yet are of direct interest to us, bound as we are by our

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political principles and national sympathies to watch over the condition, and alleviate, as far as in us lies, the misfortunes, civil or social, of other lands, and more especially those connected with us by ties, such as Ireland and France. In the one we have to depict the evil consequences of political misrule, and in the other to point to the infallible results of a vicious social system.

To begin with Ireland, the last news from Europe brought the information that the English parliament had voted, by a majority of 296 to 19, a bill for the repression of the civil war which reigned in Ireland. This law of repression, now voted almost unanimously, threw Sir Robert Peel, who first passed it, out of power only eighteen months ago. Such are the revulsions of politics. This is no less than the seventeenth law of the same kind passed during the short period of forty-five years, and all to no purpose. A member of the Parliament said on this occasion—"It is now thirty-three years since we have been at peace with all the world, save Ireland." This is the best possible comment on the effects of the atrocious oppression of Ireland by their ruthless-minded conquerors. But facts speak more eloquently than dissertation, and we shall add, to the honor of our readers, such thrilling and revolting details of Irish misery as to put history to the blush. In a late lawsuit which took place in the county of Cork, Ireland, it was established on proof that *during the year of* 1846 *no less than* 300 *tenants perished on one estate of hunger and cold, and were all buried in one common ditch.* Can any body wonder that a people reduced to such extremities are driven by necessity to a state of civil war and barbarism.

Sir Robert Peel in the course of the late discussion stated an extraordinary incident which had happened under his administration, and which paints in the most vivid colors the terrible state of Ireland and the disorder of the legislation which seeks to conduct her destinies. He stated, that a very rich Irishman on one occasion hired 15 assassins, that he placed in groups of five on three different roads to waylay an enemy who was to pass that way, and who was declared to be a respectable magistrate. He could not escape such a net, and he was killed. The assassins were paid each two guineas ($10) for the bloody job. The English government offered a reward of £1000 ($5000) for any one of the murderers, and as much for each one discovered. The murderers only were excluded from the reward offered for their denunciation. They were all informed against, and by whom do you suppose? why the very wretch who employed them to execute his vengeance. Two of them were arrested and convicted. But not the least extraordinary thing was, that the informer, the real criminal, claimed his reward ($10,000) for the arrest of two of the assassins. He was safe from punishment as pardon had been vouchsafed to all concerned, save the actual murderers. He insisted on his recompense, and the government in virtue of its promise paid the amount to the monster who had first employed the assassins to murder the object of his hate, and afterwards gave them up to the laws and execution. Thus this rich gentleman got rid of his enemy, and made a profit of $10,000. If he could have had arrested the remaining thirteen assassins employed he would have pocketed $65,000 by this hideous speculation in murder. This is without parallel in the annals of modern crime. After every scene of outrage and assassination committed by the peasantry the guilty shoulder their muskets, and go home. No one pretends to see them, and the inquiries of justice are defeated by the reply, "that they did not disturb themselves whenever they heard a gun fired." Sir George Grey also gave during the debate, another sample how accomplices are found even in the bosom of a family. A landlord's house was recently attacked by seven men with blackened faces; two of the inmates flew to their guns, and fired them upon the intruders. They flashed in the pan, as the charge had been secretly taken out. A still more striking trait of this horrible state of things is seen in the co-operation of even young children, who are taught to play a prominent part in this fearful drama of "Lynch Law." Lately it was related that two landlords were driving along in a cabriolet on the high road. A little girl suddenly appeared and got up behind on the vehicle then going up a hill. Just as the horse was breaking into a trot at the top, she cried out in a loud voice, "Come along, my boys, now, quick, or you'll miss 'em." Immediately three men presented themselves and fired on the unfortunate proprietors, one of whom was mortally wounded. The English

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papers are filled with similar details. Another landlord writes that he is constantly threatened in anonymous letters with every variety of death, and that he is obliged to keep two policemen in his house, and never to leave it without their protection. Perhaps the best illustration of all that throws a grim light over these dreadful scenes of bloodshed is the singular advertisement in a Dublin paper of the new overcoat which is warranted as proof against shot and ball. [This is the form of the advertisement. "The sad news of murders which desolate our country every day and the escape of the assassins, has suggested to the undersigned the idea of inventing an overcoat that shall be ball-proof, so as to serve as a complete protection against such attacks, &c. &c. And to remove all doubt of its efficiency the inventor declares his intention of exposing himself to a public proof by allowing himself to be shot at from a carabine."

For the last six months the following list of crimes has been published. Murders 96; attempts to murder 126; robberies of arms 600. Lord Stanley who is a large Irish proprietor says he has not received a shilling of revenues from his Irish estates for the last six months. This brings the "state of Ireland" directly home to the "business and bosoms" of English landlords, and thus the English are reaping the bitter and bloody fruits of their infamous treatment for centuries past of unhappy Ireland.

France.—The shocking scenes and events which, during the last few months have filled all France, Europe and America with astonishment and grief, have one feature that is altogether peculiar. They are confined solely to the upper classes of society, which are thus proved to be in an unsound and dangerous condition. What remedies are best provided to "purge them to a pristine health" it is not our purpose now to dwell upon. Let us, like prudent physicians, examine carefully the symptoms of disease, then it will be time, and none too soon, to suggest vigorous treatment and stringent cures. The horrible assassination of his wife by the Duke de Praslin rapidly followed the conviction for corruption and subornation of two Ex-Ministers of the Crown. Then came the painful intelligence of the suicide from disappointed ambition, apparently, of the French Ambassador at Naples, the Count of Bresson. Now we have the arrest of the Count *Mortier* for the attempt on his own life and those of his two children. Accused of insanity, he denies the charge, and in his defence he states the cause of his inexplicable conduct to be the abominable irregularities and scandalous behaviour of his wife, for whom he declares the most violent love, but from whom he had received every provocation that a husband could possibly suffer. His Lawyer in his defence read before the Court the following letter, from which we give copious extracts:

"Nov. 7, 1847.—When these lines shall have reached you, your son, your daughter, and myself shall have ceased to exist. Our premature end will have been the inevitable result of your machinations, and of your infamous conduct towards me since the birth of my daughter. You have driven me from your bed, inflicted on me the severest humiliations, and the most poignant for a man of honor to bear. I have borne all for the love and honor of my children. I have not loved you—I have adored you! Your request to remain at Paris, your every wish and desire, have been gratified with as much eagerness as happiness. Nothing, however, could satisfy your intractable character. When, three years since, you were at Paris and I at Turin, convinced by four years experience that I was hateful to you, I offered you an honest liberty (*libberte honnet:*) but that was not what suited you. I then told you in my letters every day, 'If, as I think, you have a moral or physical aversion to me, be candid and confess it. I do not ask you on this subject to enter into minute explanations; merely answer me, yes or no. If your reply is in the affirmative, I offer you a friendly separation; for the life we now lead does not suit either the one or the other; nor is it honorable to either of us. You refuse to share my bed—you refuse to bear children to me. Why, then, did you marry?' I entreated you to return to your father, and I promised to leave you our children. That was, surely, the greatest sacrifice that I could make. I proposed also to return you your fortune, and to make you an allowance of 20,000f. per annum, as long as I should remain employed, for the support and education of my children, as I would not they should be an expense to your father. You have persisted in preserving silence on the subject; and since my return to Paris, and have demanded an explanation, you replied: 'When you shall have driven me from your house it will be time enough for me to seek an asylum with my father.' It is not an honest liberty that you wish—you wish a scandal; you seek to

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attract public attention. I would not allow it. When you returned with me to Turin you were mistress of my house, which did not prevent you continuing to humiliate me as a husband, and as a man before the public. You walked the streets alone in opposition to my representations and to the custom of the country in which I held an official situation. It was a humiliation for your husband—you wished to exasperate him, and to compel him to drive you from his house.

"When, three months since, contrary to my desires, and, perhaps to my duties, I was compelled to demand leave of absence to accompany you here, I had a presentiment of what would happen. At Ostend you were very severe and cruel towards me; you refused me the dressing case. I would not die so quick for you. The impatience and annoyance of being obliged through kindness to take care of myself, were imprinted on your countenance. You brought me those dispositions to my poor mother, whom you have covered with humiliations of all kinds. To avoid seeing her die of an attack of apoplexy, I was obliged to force you to leave her house. In this I fulfilled your desires; for a letter, evidently written four hours before your departure and found in your bed, announced to me your flight, and your abandonment of your children. This paper alone would have been sufficient to condemn you before a tribunal to anything I had wished; but I hate the *eclats* and scandal to which your destiny and the advice to which you have listened appear to compel you. You are to-day triumphant—you have reduced me to despair. You have your full liberty; nothing shackles you. Husband and children are annihilated. That is what you wish—that is what you have sought for a long time under the mask of humility and religion. You are now mistress of your fortune and of your time; you can amuse yourself, and you will have time to satisfy your lovers, because you choose them from that class of society who make themselves paid for the services they render. You have spoken in my family of the scene at Berne. You, consequently, obliged me to divulge a secret which I should otherwise have kept sacred. In our worst days I have never wished to make allusion to it."

[M. Baroche then discontinued the reading of the letter, which he said was not fit for the public ear. He, however, in a few words stated the purport of what he was compelled by a sense of decency to withhold. Count Mortier was ill at Berne; his wife coming to his bedside, told him that she was *enciente*, dating it from about three months. Her husband exclaimed that it was impossible; he had then to support the reproaches of his father-in-law. Having afterwards learnt that his wife had been ill, he felt convinced that the fact of her having been *enciente* was correct, and that she had miscarried; he thus drew the conclusion that he had been dishonored. This (said M. Baroche) was the purport of that part of the letter which he refrained from reading. He then resumed the reading of the letter:]—

"In this painful position I had but two things to adopt: to dishonor you and my children, or to keep silent. I resigned myself to it; I kept my shame within my own breast, and I forgave you. What has been the return made for my generosity? You have made me submit to a life which is worse than that of a galley slave.

"If I have joined my dear and unfortunate children in my sad fate, it is because I want to withdraw my daughter from the shame and ignominy which you would reserve to her; she would become the prey and victim of one of your lovers. You would place her in his bed, for your heart is corrupt enough for that.—As to your son, the poor child has such a precocity of intellect that he has fully understood the sorrowful condition of his parents. He comprehends all the shame which you will throw on him—he is afflicted at it, and bestows on me the most tender attentions. I prefer seeing those two angels of my creation in heaven, rather than they should be in your infamous hands. Your son would soon have covered you with his contempt and scorn, and would have called you to account for the premature death of his father, and for the shame which you had cast on him.

"I give you notice that I send copies of this letter to several persons. I wish to tear the mask of hypocrisy from your face. In a word, I wish to prevent you the power of showing your face in the open day, without my blood and that of your children appearing on it. I wish to affix the seal of ignominy on you. That is what you have wished to do to me and my children. My last thought will be one of execration and curses on you, as well as on your miserable father. COMTE MORTIER."

"Sunday Morning, Nov. 7, 1847—P. S.—A few words more before I die. If your character had not been pitiless and proud, I should have demanded a last interview with you. I should, perhaps, have given you my hand and pardoned my shame and that of my unfortunate children. But no, the wife who does not fear to dishonor husband and children, to drag them before the tribunals, and to cover them and herself with mire, that woman is not accessible to any feeling of honor or delicacy. I have therefore renounced my intention, and stifle the instinct of my heart, which would have sought one last interview with you. I have not strength to add more. Adieu!

"Half-past Twelve—Rejoice!—my agony has endured since five o'clock this morning. I tremble before my poor children, whose existence I must shorten in order to remove my

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daughter from your infamous hands. No—you shall never have them, in spite of your advisers.—The ignominious advice of your execrable father, whom you will one day curse, notwithstanding the memories which you have drawn up to cover me with infamy, with our children. Our blood shall be imprinted on your countenance, and then, wherever your effrontery and your assurance shall lead you, you will excite horror, and be repelled."

There is one fact sufficiently clear from the statement contained in the above letter that the gross immorality of his wife drove the unhappy Count to contemplate self-destruction, and the murder of his two children. It only remains to inquire whether this is an isolated case of individual delinquency to the most sacred ties, or whether infidelity to conjugal rights is not, on the contrary, an universal vice in France, whose results are proved to be as desolating and repulsive. But this is not the task we propose ourselves at present.

Since writing the above we have read the suit for separation demanded by the Countess of Mortier, and we are satisfied that the horrible letter we publish above is the monstrous fiction of a distempered brain. This unfortunate lady has been the victim of every species of brutal treatment by her infuriate husband, who must be mad, or worse than a brute. Jealousy is supposed to be the cause of his outrages; and well has Shakspeare sang,

> "Trifles light as air
> Are to the jealous confirmations strong
> As proofs of holy writ."

At the last accounts the court had decided that a medical committee should examine the mental condition of Count Mortier, and if he is not reported a madman, let him be branded as a monster.

Canada.—By the last accounts the elections in Canada are going against the English oligarchy, and the reform party seem likely from present appearances to obtain a complete triumph. The most remarkable event certainly of this political revolution is the probable re-election, in spite of his expressed desires, of the celebrated Joseph *Papineau*, who occupied the presidential chair of the legislature in 1836; and for whose head a reward of £1000 was offered by the English government on a charge of treason in 1837; and who was condemned to death without judgment in 1838; and who, finally, in 1848, is again called up to the summit of popular favor by the flow of events and that reaction in human progress which sooner or later is sure to recover the way it has lost.

MISCELLANEOUS.

The Washington Steamer has followed in the wake of her predecessors and "gone to Halifax" in her turn. It must be very mortifying to all parties concerned—the downright failure of this splendid vessel. How miserably she has disappointed the vast expectations formed of her speed and success. There is a reason for this, as for most things, if you can find it. We have our opinion on the matter, and here it is. Instead of taking sufficient and even excess of time to build her, the over-enterprizing parties who undertook it thought they could *improvise* a steam-ship of the largest class in a fourth of the time that the slow-poking John Bull could fabricate one. And it was to run faster, "dive deeper, and come out dryer" than any steamer ever did before. Well, the end of it is, that certain conclusions are now infallibly proved. Euclid could not make them clearer—1st, That building steamers fast, won't make 'em run fast—2nd, That horse-power is no match for water-power, when steam-engines and Atlantic waves come together. (How old Neptune must grin at this triumph over the "Novelty Works.")—3rd and last, That though a Yankee *can* beat all creation on land, and sea, and in less time too than it was ever done before; yet it is "respectfully submitted," that even he can't do it in no time at all. We pause for a reply. Mr. E. Mills has the floor. The reputation of the country must be *redeemed*. The name of "Washington" vindicated.

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THE HOME JOURNAL.—We like now and then to do a good-natured thing. It eases the conscience and relieves the stomach. We beg therefore to say to our readers scattered over the four quarters of the country, that if they knew what a loss they suffered every week in not perusing one of the best weeklies that ever came from the iron loins of the steam-press in this, or any other town, in this, or any other nation, they would first wrap themselves in sackcloth at their misfortune, and next subscribe on the instant for the "Home Journal," Morris & Willis, New-York. Imprimis, it is the best printed paper in the United States. The type is clear and legible; therefore the suspicion going round that all our Journals are in concert with "Quack Optical Doctors" by using type that brings on opthalmia, does not lie at the door of the *Home Journal.* Next it is filled with the best selections, foreign and domestic, of any paper in the country .We applaud especially the translations from the French papers. The more we know of France, her institutions, her society and people the better, for it is the only nation in Europe to whom we are bound by the dearest ties of sympathy. We owe them a huge debt of obligation dating from 1778. Last, if there was no other attraction in the "Home Journal," it is quite worth more than the subscription to read the charmingly expressed lucrubations of its accomplished editor, N. P. Willis. No writer is more known in the United States, therefore it is quite useless to praise him. But his famed talents never shone more conspicuously than in the brilliant pages of the "Home Journal." Read, admire, and pay up your subscriptions, we recommend to all *dilettanti* of newspaper literature who are willing to take our guarantee for the merits of this excellent Journal. We could say, and would say, and some day we shall say a great deal of Mr. Willis, his worth, his genius and romantic career. This, however, we would like to do at our leisure, and not with printer's boy standing at our elbow. To prove that our mention of the Home Journal is not conceived in the spirit of a puff we quote the following from the French paper in this city: "Amongst others we point to Mr. Willis, that sparkling and picturesque talent, who scatters every week his powder of gold (gems of thought) over the pages of the 'Home Journal,' who is as much sought after as an elegant man of the world as he is eagerly read as a finished writer."

NOTICES OF NEW BOOKS.

THE MIDDLE KINGDOM. A Survey of the Geography, Government, Education, Social Life, Arts, Religion, &c., of the Chinese Empire and its inhabitants, with a new Map of the Empire. By S. Wells Williams. Wiley & Putnam, New-York and London.

It is somewhat refreshing to turn from the dry and obscure recapitulations of Chinese history, and the various books of travel and of missionary labor in that country, with which the press has teemed for the last few years, and which are characterized by much pretension and high-wrought exaggeration—to the useful and entertaining work before us. Numerous writers on China have elaborately treated of its laws, commerce, language, literature, religion, and the leading characteristics of the people; but the majority have displayed so little originality of research, that we begin to thirst for more minute and accurate information both as regards these particular subjects, and many other fields of inquiry not hitherto unexplored. The only benefit which resulted from the efforts of these authors, if such they may be styled, was, that they put a new face on old materials, and for a time whetted the appetite for this class of books. Notwithstanding all that has been written and read, however, with respect to China, and no country occupies a larger share of attention, a vast amount of ignorance prevails which it will be the duty and glory of future writers and travellers to dissipate.

Decidedly among the best, most authentic and comprehensive works upon China is that of Mr. Williams, published by Messrs. Wiley & Putnam. It appears that Mr. Williams

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resided some twelve years at Canton, in the capacity of printer to the American Board of Foreign Missions, and as such enjoyed eminent advantage in becoming acquainted with everything that relates to that strange nation. With the great abilities and research he displays, he used to the best advantage apparently the facilities thrown in his way by the political changes in respect to that country, and to the results of long experience and very extended personal character, he adds all that great research and a matured judgment has selected as valuable from other mites. In relation to the name of the book he informs us,—"I have called it the Middle Kingdom, chiefly from that being the meaning of the most common name for the country among the people themselves; and also from the Chinese holding a middle place between civilization and barbarism. China being the most civilized Pagan nation in her institutions and literature now existing."

It has been truly remarked, that the impressions of any tourist in a foreign land, when faithfully recorded, must prove interesting; how much more so, then, must be those of an intelligent person like the author of this work, and with regard to a country which presents so many "new facts" to the eyes of the European or American man of science. The independent observations of a conscientious traveller of this *calibre*, who describes just what he sees, without "extenuation," or setting down aught in "malice," possess a high value, being far better calculated, than is generally supposed, to increase our sphere of knowledge, and give us true ideas of whatever portion of the globe may be the subject of study or investigation. When it is considered that the most trifling circumstances may often afford the strongest indications of character; that the slightest incidents may serve to illustrate striking features in the political and social relations of our entire people, and that practical experience is the only touchstone to truth, these volumes seems to enhance iu value and importance. We have these volumes in hand for extended review in our next number.

Don Quixote De la Mancha, translated from the Spanish of Miguel De Cervantes Saavedra. By Charles Jarvis, Esq., carefully revised and corrected: with numeroas illustrations. By Tony Johannot. Lea & Blanchard, Philadelphia.

This world renowned romance, one of the finest efforts of human wit, is by far too well known and appreciated in all languages to require a special notice, other than in relation to the style and execution of the new edition. There has been many English translations of the work, but by common consent that of Jarvis stands foremost. It preserves, as far as it is possible in rendering into another language, the pungency of an exquisite wit, which in many respects depended upon Spanish peculiarities. In the translation of Jarvis these have been conveyed with wonderful precision. The present edition has also a copious life of the author, everyway necessary to the understanding of the allusions which abounds in the course of the "true history," and the life of the author, from the wonderful vicissitudes it presents, is of itself exceedingly interesting. It is by Mr. Viardot, who enjoyed unexampled facilities for rendering this great service to letters and humanity. The illustrations of the work are numerous and highly satisfactory. The whole forming one of the most satisfactory editions of a work of which we presume no one is ever without a copy. It does great credit to the publishers, Messrs. Lea & Blanchard.

The Lesson of Life and other Poems. By George H. Baker. Appleton, Philadelphia, 1848.

We have perused with much satisfaction this volume of poems by Mr. Baker. It is always a subject of congratulation, that in these days of utilitarianism, of matters of fact, of speculation—this age, which can be well described as the age of dollarism, that through and above the hum of factories, and the noise of trade paramount to the anxieties of commerce, and unfettered by the chains of dire necessity, the intellectual, literary mind shows forth the fruits of its retired musings. We hail with pleasure, akin to that which recognizes a dear friend among a crowd of strangers, the unexpected appearance of efforts of the educated mind in prose and poetry. Not that such efforts are either rare or distant far apart, but only that their coming from whence they may, is always a matter of sincere delight.

Mr. Baker's volume has produced in our mind these feelings. The author evinces much and severe reading; study, neither superficial nor unprofited by, and a taste refined by constant washings in the stream of rich, pure poetry. For his first essay, he shows much mental power, and when trained to the severe encounter of the poet's path to fame, will surely gain its true reward.

"The prelude" to these poems is beautiful, and contain some happy thoughts dressed in the covering of poetic taste.

"The Lesson of Life" we regard as the best of Mr. Baker's productions, and worthy of a place among the gems of American authors. "The Calendar" ranks next in merit, and

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among the "fugitive pieces," there are several of much poetic power, of which the "Mountain Oak" claims the first place.

The author requires study, more study, more self-communion. He possesses the power and the taste, and if cultivated, they will risk comparison yet with far loftier names.

PROSE WRITERS OF GERMANY. By Frederick H. Hedge. Illustrated with Portraits. Carey & Hart, Philadelphia.

The philosophy of Germany has been productive of the greatest results upon the political and social condition of the Christian world. In the matter of philosophical principles, Germany stands pre-eminent among nations. What Martin Luther, in the middle of the 15th century, did for the German mind, he did also in degree for the human race. There had been writers of eminence before his day, but it was reserved for him to break the thraldom in which the human mind had been held, and allow, henceforth, mankind to think for themselves. He did much for freedom of thought in general, and also for the German language, in which those thoughts were to be conveyed. The literatare of Germany can, however, be scarcely said to have commenced until the 18th century, when Gottsched published his Critical System of Poetry and his German Grammar. Since his time, Germany has been rich in prose writers, whose biographies, with extracts from their writings, are compiled in the noble royal octavo volume before na. The author does not pretend to have given a complete account of the "prose writers of Germany," but only to have grouped the "classics," in the stricter sense, with admirable mezzotint engravings of the most eminent. As he notifies us in his preface, many will miss favorites from the pages, among whom we will mention for our part Amin and Bretano; but all will be satisfied with the most complete account of German authors yet given to the public; and the influence of German literature upon our own is daily becoming more marked. Among the most interesting of the biographies, is that of the illustrious Hebrew, Moses Mendelssohn, a translation of whose "Phædon" we have now in course of publication in this Review. It is a work which, more than anything else what he wrote, contributed to the fame of Mendelssohn. It has been translated with effect into all languages, and is popular in all. From the increasing taste for German writers and writings among us, the work before us must be most acceptable to the general reader. It forms one of a series of similar works, as the "Prose Writers of America," "Poets and Poetry of the Ancients," &c., recently given to the reading public by the enterprising publishers, Messrs. Carey & Hart, of Philadelphia.

An interesting and highly valuable work is now being prepared by Dr. Lieber of Columbia College, South Carolina, so well known as an able author in the literary and scientific world. Dr. Lieber is preparing a Concordance of the Constitution of the several States of the American Union, together with a digest of all the organic laws of these respective commonwealths. It is to be upon the plan of Joseph's Concordance of the Civil Codes. Dr. Lieber is admirably qualified for a task requiring so much industry, research, and power of condensation. We have no doubt, from the nature of the subject and the character of the author, that a most valuable addition will be made to the library of every student—men whose minds are led to inquire what are the ingredients in the political structure of a federal union of free republics, which has advanced by the moral power of those enlightened principles of democracy, to a position before unknown in the history of any of the nations of the earth.

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The author requires study, more study, more self-communion. He possesses the power and the taste, and if cultivated, they will risk comparison yet with far loftier names.

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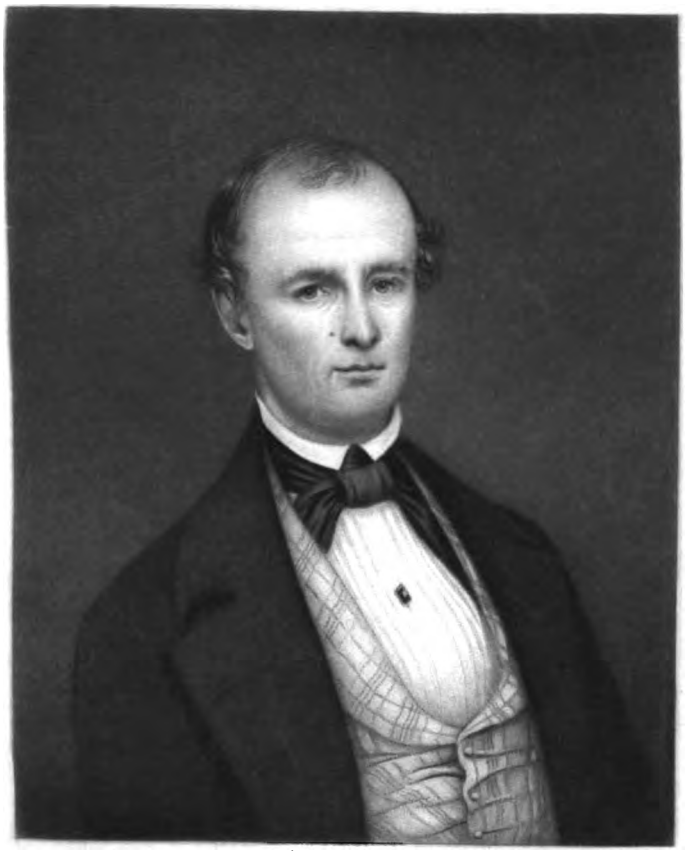

J. Henrick Brent

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THE RHODE ISLAND QUESTION—SOVEREIGNTY OF THE PEOPLE.

The case of the revolution, as it was called, in Rhode Island, in the years 1841–'42, has given rise to a great deal of discussion in relation to the rights of the people to reform an obnoxious government. By one party it has been contended, that the people legally had no right to reform the organic law of a state, unless the legislature created by that law should first pass an act authorizing the people to call a convention. It has been agreed, that although the people are the source of all power, yet to provide against sudden and capricious changes, they have limited themselves in their own right to revise the organic law of their government, and have consented to put restrictions upon the manner in which they will proceed, whenever they are inclined to alter the constitution. This is no doubt in the main correct, but to all rules there are exceptions; and the exception to the rule here laid down is, that when those to whom are delegated the power of the people to pass laws, as well for the calling of conventions as for other purposes, abuse the delegated power by refusing to obey the popular voice, the "sacred right" of the people to resume the right they have delegated recurs to them, and they form conventions without reference to the contumacious delegates whom they seek to depose. The state of Rhode Island affords a singular example of the forbearance of the people under great oppression. Those difficulties grew out of the fact that the government was based on a royal charter, and never had emanated from the people. It was not what they had adopted, but what had been given them. They attempted to reform it as soon as the state became independent of the mother-country; but the power which it conferred on a class was such, that they continued to hold in the face of the people. From 1790 down to 1842, the citizens of Rhode Island had sought constitutional reform by the influence of opinion, and they obtained it ultimately only through the influence of force.

The first charter of the colony of Rhode Island was obtained from the British Parliament when that body was of a republican temper, and in arms against the king, in 1644. In accordance with this charter, a code of laws was adopted, and a government, declared to be a democracy, instituted, which declared freedom of religion. After the restoration of Charles II., a new charter was granted, embodying the principles of the old charter, and of the government organized under it. This charter continued to be the organic law of the state, down to 1842, when, at the period of the revolution, the authority of the crown had been thrown off, and the people

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of the United States decided to form a new government, Rhode Island became a party to the confederation, and subsequently to the Union.—It is familiar to all, that the formation of the Union was one of the most delicate and hazardous measures that ever presented itself in the political history of this continent. The existing governments of the several states, out of which it was proposed to form the Union, were deemed republican in their form and principles. If they were not strictly so, it was no time for the unformed central authority to scrutinize too closely the workings of state governments, or to pry into those private affairs of the states with which the Federal government proposed to have no concern. The instrument of federation simply guaranteed to each state a republican form of government, and agreed that the Federal government should protect the several states against invasion, and, on application of the legislature, from domestic violence. In forming a union with Rhode Island, under its charter, therefore that instrument was admitted, without examination, to be the basis of a republican form of government. If the people of the state subsequently found that it was not a republican form of government, but in fact an oligarchy, inasmuch as that the elective franchise was under the restrictions of the royal charter, monopolized by a small class of persons, they had a right to reform it. The manner of doing this may have given rise to dispute. The Federal government *guarantees* a republican form of government to the several states, yet the several states being sovereign and independent, have a right to adopt any constitution they please. Suppose, then, that through the influence of Executive patronage, or any other cause, any state should adopt a monarchical constitution, in what way would the Federal government act to carry out its guarantee? To enable it to act at all, it must be shown that the government to be reformed is not republican. If the existing government is republican, then the Federal authority must protect it from domestic violence. If it is not republican, it must aid the people against it. How is this point to be settled? Possibly, on complaint of the people of the state, the obnoxious government would be cited before the Supreme Court, to show cause why it should not be dissolved and the wishes of the people complied with. Such a case, in fact, presented itself in Rhode Island; a minority of the people had for fifty years pertinaciously voted down every attempt at constitutional reform. In 1824, particularly, a new constitution was voted down, 1,668 for it—3,206 against it; Newport and Providence casting 1,184 votes against it and 31 for it. The aggregate vote cast was 3,206 against the constitution, among 22,110 free white males over the age of 21 years, showing that less than one-seventh of the population governed. In 1842, the people were tired of this rule, which had lasted 60 years, and by incipient movements at meetings, a constitution was finally adopted by a large majority of all the white male inhabitants, and a government elected under it. The old government refused to recede, or to acknowledge the legality of the new, and an armed collision threatened. The new government having gone through the forms of organization, adjourned, and never met again, inasmuch as that this movement of the people had produced the desired effect upon the old government, which passed the necessary laws for calling a convention, in accordance with which a constitution was framed and adopted by the people. The new constitution provides, that all male *native* citizens of the United States, who have resided in the state two years; who have been registered seven days before the election; have paid one year a tax of one dollar, *or* have done military duty within the year, may vote; and all naturalized citizens, who, in addition to preceding qualifications, possess real estate worth an annual rent of seven dollars. During the contention between the people and the old government, Governor

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Dorr was indicted for treason, and tried under the new constitution, and sentenced to imprisonment for life. The house of Martin Luther was, it appears, broken open during the disturbance, for which he brought a suit at law against Luther Borden and others. The defence was, that the plaintiff was in arms against the constituted authorities, and that his house was taken possession of by the governor. The case came recently before the United States Court, turning upon the legality of the new government, in defence of which Luther was said to have been in arms. Daniel Webster, Esq. argued the case for the defendants, maintaining that the proceedings of the people, without the sanction of the existing government, were entirely illegal. On this point, Mr. Webster remarked—

"Is it not obvious enough that men cannot get together, and count themselves, and say there are so many hundreds and so many thousands, and judge of their own qualifications, and call themselves the people, and set up a Government? Why, another set of men, forty miles off, on the same day, with the same propriety, with as good qualifications and in as large numbers, may meet and set up a Government for themselves:—one may meet at Newport, and another at Chepachet, and both may call themselves the people. What is this but anarchy? What liberty is there here but a tumultuary, tempestuous, violent, stormy liberty,—a sort of South American liberty, without power, except in spasms,—a liberty supported by arms to-day, crushed by arms to-morrow. Is that *our* liberty?

"This regular action of popular power, on the other hand, places upon public liberty the most beautiful face that ever adorned that angel form. All is regular and harmonious in its features, and gentle in its operation. The stream of public authority under American liberty, running in this channel, has the strength of Missouri, while its waters are as transparent as those of a crystal lake. It is powerful for good. It produces no tumult, no violence and no wrong.—It is well enough described in those lines of Sir Thomas Denman: 'it is a stream,

> "'Though deep yet clear—though gentle yet not dull,
> Strong without rage—without o'erflowing full.'"

"Another American principle growing out of this, and just as important and as well settled as is the great truth that the people are the source of power, is, that when in the course of events it becomes necessary to ascertain the will of the people on a new exigency, or a new state of things or of opinion, the legislative power provides for that ascertainment by an ordinary act of legislation. Has that not been our whole history? It would take me from now till the sun shall go down, to advert to all the instances of it, and I shall only refer to the most prominent and especially to the establishment of the constitution under which you sit. The old Congress, upon the suggestion of the delegates who assembled at Annapolis in May, 1786, recommended to the states that they should send delegates to a Convention, to be holden at Philadelphia, to form a constitution. No article of the old Confederation gave them power to do this. But they did it, and the states did appoint delegates, who went to Philadelphia and formed the constitution. It was communicated to the old Congress, and that body recommended to the states to make provision for calling the people together to act upon its adoption. Was that not exactly the case of passing a law to ascertain the will of the people in a new exigency? And this method was adopted without opposition, nobody suggesting that there could be any other mode of ascertaining the will of the people.

"Again: my learned friend went through the constitutions of several of the states. It is enough to say, that of the old thirteen states, the constitutions, with but one exception, contained no provision for their own amendment. In New-Hampshire there was a provision for taking the sense of the people once in seven years. Yet there is hardly one that has not altered its constitution, and it has been done by Conventions called by the Legislature, as an ordinary exercise of legislative power. Now, what state ever altered its constitution in any other mode? What alteration has ever been brought in, put in, forced in, or got in any how, by resolutions of mass meetings, and then by applying force? In what state has an assembly, calling itself the people, without law, without authority, without qualifications, without certain officers, with no oaths, securities or sanctions of any kind, met and made a constitution, and called it the constitution of the STATE?"

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The general truth of this is undenied and undeniable, in relation to those states which were possessed of constitutions framed by popular conventions, and adopted by popular votes. Where the general right of suffrage prevails, the constitution has been reformed in the manner indicated. It has, however, no application to the case of Rhode Island. In that state, as we have seen, the mass of citizens were, by the provisions of the regal charter, excluded from voting. Those who arbitrarily held the right of suffrage, refused to extend it in favor of the many. Mr. Webster remarked, that he who contended that the people were the source of all power, "sees a phantom," "saws the air," "fights a windmill." There is none to dispute him. The same is true in relation to his remarks upon the usual mode of reforming constitutions. They are utterly inapplicable to Rhode Island. Mr. Webster tells us, that the authority to form the present federal constitution proceeded from the "old Congress." This is telling us that the world rests upon a tortoise, but on what does the tortoise stand? Whence came the old Congress? Was that called into being by a law passed by the then existing government? Not so. Mr. Webster admits, that not even the Confederation authorized them to do it. Or did it not emanate from the people, in a manner analogous to that from which the same sovereign power of the people produced the constitution under which Governor Dorr acted? That constitution was submitted to the people, and adopted by a large majority, as Mr. Webster admits. The majority voted in Rhode Island, for the first time, when they adopted that constitution; and then, and not until then, did the old government consent to go through the forms usual in the adoption of new constitutions. As soon as they consented to that the cause of strife was at an end, and Gov. Dorr's government did not succeed after. The regular action of popular power, which Mr. Webster so well describes, is well-understood, and universally appreciated; but it has no application to that irregular action of popular power, sometimes necessarily called into action by governmental usurpation and legislative tyranny. To deny that the people have a right, in case of emergency, to act without the sanction of a usurping government, to reform which their action is become necessary, is to deny to them the right of self-government. Where the right of suffrage is so fully enjoyed that a contumacious legislature may, at the next election, be made to feel the weight of popular power, there is little danger of such usurpation; but in Rhode Island, that large majority of the people who demanded reform, were those who were by the existing government denied a voice at the ballot-box. This new constitution, extorted by the movement of Gov. Dorr from the dominant party, so extends the right of suffrage, that there is no danger of the recurrence of such, or a similar state of affairs. The affairs of the state of Texas are an illustration of this right of the people to revolutionize an obnoxious government. She was one of the Mexican federal union, and performed her part of the contract while that union lasted; Santa Anna, by military usurpation, overthrew the confederation, and Texas resisted his authority. The central government of Mexico then made attempts to subjugate Texas. When the Texas Committee of Safety issued circulars to prepare the people for invasion, resistance was organized, and finally the people sent delegates to San Felippe, to form a government, which finally was acknowleded by many nations—no one, except the Mexicans, disputed the right of the people of Texas to form a government without the assent of Mexico.

The state of Delaware presents at this moment a state of affairs somewhat similar to that of Rhode Island—with this difference, that the constitution of Delaware is actually one adopted by the people in 1792, and amended in

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1831. But this constitution contains no provisions for its own reform; and reforms are much needed, more particularly in respect of the right of suffrage and equality of representation. By the existing constitution, every free white male of 21 years of age, one year resident in the state, may vote until he is 22 years of age, when, to continue the right of voting, he must pay a county tax; and it is requisite that this tax shall be *assessed* within six months of the elections, (nobody pays taxes before they are assessed,) hence, the assessment and collection of taxes becomes a powerful engine to interfere with the right of suffrage. In times of high party excitement, the manner and mode of assessment tells with great effect for or against the dominant party. Again: the state is composed of three counties, each of which is a legislative district, sending seven Assemblymen and three Senators to the State Legislature, and these are elected by general ticket—hence results the unequal representation which becomes apparent in the following figures, according to the census of 1840:

Counties and Districts.	Number of Voters.	Number free White Males over 21.	Whole population.	Senators.	Rep'vs.
New-Castle,	4,512	6,372	32,120	3	7
Kent,	2,689	3,077	19,872	3	7
Sussex,	3,646	4,158	25,093	3	7

In New-castle, 6,372 free white males over 21 years of age, have no more voice in the State Legislature than the 3,000 from Kent, and in point of fact, less than 4,000 voters refuse a new constitution, to 78,085 inhabitants. In this state of affairs, the only officers elected by the people being the members of the Legislature, the sheriffs and the coroners—the popular voice demands a new convention to reform the constitution. The Legislature absolutely refuses to pass any law authorizing the people to vote on the question, although the last Democratic State Convention, in nominating the Governor, declared the absolute necessity for a convention. The popularity of this declaration mainly contributed to the election of Mr. Thorp, against strong federal majorities. The popular expression of opinion in favor of a convention, was greatly paralyzed by the opinion held out by the legal profession opposed to reform, that a call by popular vote was not legal, unless authorized by a previous act, although the constitution does not make such an act of the legislature necessary. It results from the constituent nature of the governments in the United States, that, where the people have not themselves expressly set limits to their own authority, though prescribed rules for its future exercise, laid down in an organic law which they have adopted, the full and uncontrolled power to exercise it remains with them. Mr. Webster, and all those who argue with him, admit this principle, as expressed in the recent speech of that gentleman:

"Well, then, let all admit, what none deny, that the only source of political power in this country is the people. Let us admit that they are *sovereign*, for they are so; that is to say, the aggregate community, the collected will of the people, is sovereign. I confess that I think Chief Justice Jay spoke rather paradoxically than philosophically, when he said that this country exhibited the extraordinary spectacle of many sovereigns and no subjects. The people, he said, are all sovereigns; and the peculiarity of the case is, that they have no subjects, except a few colored persons. This must be rather fanciful. The aggregate community is sovereign, but that is not *the* sovereignty which acts in the daily exercise of sovereign power. The people cannot act daily as the people. They must establish a government, and invest it with *so much of the sovereign power as the case requires;* and this sovereign *power being delegated* and placed in the hands of the government, that government becomes what is popularly called THE STATE. I like the old-fashioned way of stating things as they are; and this is the true idea of a state. It is an organized government, representing the *collected will of the people, so far as they see fit to invest that government with power.* And, in that

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respect it is true, that though *this* government possesses sovereign power, it does *not possess all sovereign power;* and so the State Governments, though sovereign in some respects, *are not in all. Nor could it be shown that the powers of both as delegated, embrace the whole range of what might be called sovereign power.* We usually speak of states as Sovereign States. I do not object. But the constitution never so styles them; nor does the constitution speak of the government here, as the *general* or the *federal* government. It calls them the United States; and the Government, the Government of the United States; and it calls the State Governments State Governments. Still the fact is undeniably so. Legislation is a sovereign power, and is exercised by an organized government *to a certain extent*, and by the states according to the forms which they have themselves established."

This is very clear and comprehensive; and we have marked with italics the passage which strongly admits the constituent or latent character of the sovereign authority in the United States, and of the delegated and restricted nature of the sovereignty exercised by both State and Federal Governments. It will not be doubted, that in respect to both Federal and State Governments, a National Convention is sovereign throughout the Union, because it is an aggregation of the sovereignty of the people empowered to modify both the Federal and State Governments.

"But though this aggregate, as thus represented, is properly a sovereign body, its active functions are merely constituent. It defines the constitution and attributes of the federal government, and thus modifies (by implication) the powers of the states' governments. It leaves, however, the ordinary business of a government to those respective authorities; the federal government administering the affairs of the Union, and each of the states' governments administering those of its locality. Since it is merely constituent, and since its interventions are separated by long intervals, the sovereign authority in the American Union may be styled constituent or latent, as a sovereign authority which habitually governs may be styled acting or ostensible. That the federal government is merely ministerial, cannot be doubted, the specified powers which it holds from the constituent sovereign rendering its character obvious. But, the federation apart, each of the states' governments would be supreme and independent; it has only relinquished, by its accession to the federation, a specified portion of its sovereign powers; and it may be said, with some plausibility, that the infinitude of powers which it retains is equivalent to sovereignty. To this it may be answered, that its powers are liable to abridgment by the constituent authority, and that no government, subject to such a liability, can be deemed sovereign and independent. Nay, the constituent authority, for the purpose of strengthening the federation, might deprive the states' governments of all but specified powers, endowing the federal government with the infinite residue, and thus giving it a character approaching to sovereignty."

If this constituent body did not delegate to the Federal government any authority to pass a law providing for a future amendment, alteration or renewal of the Federal constitution, would it therefore be argued that the constituent authority, which had refused to add that power to the other specified powers with which it had endowed the Federal government, was itself debarred from again assembling in convention? We presume no one would contend its power. If the constituent sovereignty limited its own authority by delegating to the Federal government the power to authorize future conventions in the same manner, the creature then becomes endowed with power over its creator; and how far any constituent convention of sovereign power has a right to debar the members of a future generation from calling a convention as freely as the present one has exercised that right, may admit of question, as no generation can bind future ones in matters of government, so neither can they restrict them in the manner of reformation. As a National Convention is clearly sovereign in respect both to State and Federal governments, so is a State Convention sovereign in respect to the State Con-

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stitution. As Mr. Webster very clearly expresses it, a government resulting from a convention of the people, "though sovereign in some respects, are not in all;" certain functions and powers are delegated to them, and the infinite residue remains with the people. It has been contended in some quarters, that although the Federal Government is avowedly limited in its sovereignty to the enumerated powers expressly granted, that with the State Governments the reverse is the case, viz: that they possess the infinite residue of power after the limitations prescribed by the Federal and State constitutions; as, for instance, it was contended that because the constitution of the State of New-York, of 1821, provided for its own amendments, by the Legislature, that, therefore, no right existed to call the convention of 1846. We apprehend, that the doctrine of Mr. Webster, on that point, is the most correct, viz: that the people invest the State Government with such powers only as the case requires. Hence, where they have not, in convention, delegated to the State Government the power to call future conventions in a prescribed form, that the right of the people to vote at the usual elections "for a convention," or otherwise, is perfect, and that the will of the majority, in such cases, is binding. The canvassing officers have to report the number of votes ascertained for or against a convention, and the election of delegates to proceed or not, according to the result. The traditions of the legal profession are always monarchical; they are always looking up for authority to come down, and have never yet learned to look around among the people for the powers which they admit inhere in them.

ELECTIVE JUDICIARY.

The public attention has been forcibly attracted of late to the subject of Constitutional Reform. The constitutions which were adopted by the states immediately after the establishment of our National Government, have been found defective in many particulars. Taken on the whole, they exhibit great sagacity and a deep knowledge of the science of human government. We are disposed to give to their illustrious framers the credit due to undoubted patriotism and exalted talents; yet, it is not to be concealed, that there are defects in many, if not all, of the early constitutions, which demand that they should be greatly amended.

In the organization of two of the departments of government, the correct principle of republicanism has usually prevailed. The Executive and the Legislature are, for the most part, elected by the people, and by being subjected to the test of frequent elections, are made responsible to the controlling power of public opinion. Not so with the judiciary—a different principle has been adopted in the organization of this department. Its commission is sometimes derived from the Legislative, but mostly from the Executive branch of the government. It derives its vitality from one of those two departments, both of whom, it was specially designed to check and control. In its construction, the vital principle of a republic—the separation and division of powers, has been sported with and set at nought. Nor is this all; that very branch of the government which is the most important of all others—which gives force and efficiency to the laws—which administers justice between man and man, and keeps the other departments from shooting madly from the spheres allotted to them, is the very one, which has been removed beyond the reach of all responsibility.

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While the Executive and Legislature, at short and stated terms, are held to accountability before the people, as if to insure a perpetuation of the infraction of the popular principle, which is pursued in the appointment of the judges, the judiciary are lifted above all responsibility, by receiving their appointments for life. As if aware, that this department had been constructed in violation of the true principles of a republican government, it was deemed necessary, to give it importance, stability and security, by throwing around the judge the shield of utter irresponsibility. This departure from principle, however, has not been left to struggle under the weight of a term so odious, as that of "irresponsibility." It has been dignified by the more plausible and more popular appellation of "the independence of the judiciary." No man can assail the acts of a judicial despot, however arbitrary or corrupt, without being accused of interfering with the "sacred independence of the judiciary." To talk about rendering this department subordinate to the popular authority, has in many quarters, been deemed sacrilege —and even now, the rash reformer, who has the moral courage to advocate a remedy, for known and acknowledged evils, must be satisfied, should he be denounced as nothing more than a "Radical," an "Agrarian," or a "Destructive." But as we advance in the investigation of the subject, it will be well for us to understand the exact meaning of the terms employed in its discussion. What, then, is meant by the term "independent judiciary?" From whence was this term borrowed, and can it have any application in this country? These are questions upon which we propose to address a few observations.

It is known to every one familiar with the history of the past, that this opinion about the importance of an independent judiciary, originated in England. In that country, the term is pregnant of some meaning, and it has a distinct, well-known and well-defined signification, such as can never be applied to it in this country. In England, it means an independence of the crown, and not an independence of the people. In the early history of that government, the judges were appointed by the Sovereign, and held their offices by no other tenure than his will. In that condition of things, it is not difficult to perceive that the rights of the people were in imminent jeopardy, when brought in conflict with the prerogatives of the throne. The judiciary was, in truth, nothing but the reflex mirror of the royal will. As liberty advanced, and as light and knowledge became diffused among the people, this unjust and despotic principle necessarily became subverted. The Revolution of 1688, which placed the second James upon the throne, accomplished its overthrow, and established in its place the more correct and popular principle, that the judges should be appointed for life, and should not be removable at the will of the crown. As the king was still left with the power of appointing to office, there was no other mode in which the judiciary could be rendered independent of the throne, except by conferring upon them their offices for life. This, then, is what is meant in England by an independent judiciary. The appointment for life, renders the judge irresponsible to the crown—and in this very irresponsibility, the English subject finds his only protection from the exactions and oppressions of the throne. No wonder that, under these circumstances, the independence or irresponsibility of the judiciary is highly valued or fondly clung to by the people of England. That there are evils flowing from this irresponsibility, but few acquainted with the jurisprudence of England will venture to deny; and dark and revolting are some of the pages of her history. Power, long and arbitrarily exercised, without check or restraint, has too often transformed her judges into tyrants, and instead of being protectors, they have become the scourges of the human race. Her laws have been san-

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guinary enough, but they have been executed in a spirit of relentless severity, without a parallel in the world's history. Nero and Domitian, when swaying the iron rod of empire, never seem to have been animated by more remorseless cruelty, or a more savage thirst for blood, than have been exhibited by some of the English judges, even in the palmiest days of her civilization. But in the British form of government, all of these evils must be quietly borne, for they are without remedy, from the very nature of things. The existence of a monarch—the presence of one irresponsible power in the government, creates a controlling necessity for the existence of another power, vested with a similar attribute of irresponsibility. It is in the great order of Providence, that one evil begets another. An irresponsible monarch can only be watched and controlled by an irresponsible judiciary; and as tyranny can only be maintained by the strong arm of force, hence the necessity to float large navies and keep up standing armies, to give, even in time of peace, force and efficiency to the laws and authority of the government.

But this principle, which renders the creation of an irresponsible judiciary an act of necessity in England, can have no application to this country. According to the theory of our government, there is no power in the state antagonistical to that of the people. It is true, we have no monarch—no titled noblemen—no aristocracy, of whom it would be important to render the judiciary independent. Of what avail, then, will it be to have irresponsible or independent judges? Of what, and of whom, are they to be independent? Are they to be independent of the laws and constitution, or independent of the legislature, the governor, or the people? What is meant by this phrase, and in what manner do you seek to give it a practical application.

It is evident that we have borrowed what is here termed the independence of the judiciary, from England. And it is equally plain, that the same state of affairs, which caused the establishment of such a system in that government, does not and cannot exist in this country. If it be important in England that the judiciary should be appointed for life, in order to render them independent of the crown, does it follow, therefore, that our judiciary should be appointed for life, when we have neither king nor aristocracy to dread? We can clearly derive no benefit from the independence or irresponsibility of the judiciary, such as is derived in England; but we are certain to taste here as the people have tasted there, its bitter fruits. What those fruits are, I have only to refer to the history of the past, and to the public sentiment which now exists in relation to the judiciary. It is idle to attempt to conceal the fact, that the public confidence has been unsettled in the administration of our laws. From one extremity of the Union to the other, this branch of the government has forfeited the public respect, and instead of being looked up to, with love and veneration, its movements are watched with jealousy and distrust. A wide-spread feeling of insecurity and alarm agitates the public mind, and occasionally paralyzes the operations of trade and commerce. Capital, which, like the sensitive plant, shrinks from the contact of danger, seeks rather the security and privacy of the strong box, than investments which may result in its total destruction, for the want of a faithful and energetic administration of the laws. In many parts of the country, crime stalks unpunished, and wrath hurls defiance at the civil power of the state. The feeling is daily growing deeper and stronger, that reforms are needed in the judiciary, and that unless they be speedily carried into effect, greater evils and heavier calamities will weigh down the spirits of our people.

But the independence of the judiciary, which is so stoutly maintained in England and in this country, does not result from the particular mode which

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is pursued in the appointment of the judge. It is the life-tenure of the judiciary which renders them irresponsible, and not the fact that they receive their commissions from the executive branch of the government. A judge, who holds his office for life, is irresponsible, no matter how he has been appointed or elected. He is entirely independent of all law, of all public sentiment, and of all responsibility, whether he has been appointed by the crown or elected by the Parliament or the people. If the life-tenure be abolished, and if he be appointed for a stated term of years, his independence is destroyed, and his responsibility established. If appointed for a short term, he is subject to constant responsibility; if for a long term, that responsibility is proportionally diminished. But in neither case do you add to or diminish his responsibility, by adopting any particular mode of appointment. A judge, elected for life by the people, is just as independent as a judge appointed for life by the crown. And a judge, elected for a term of years by the people, is just as responsible, (and no more,) as a judge appointed for a term of years by the crown.

The propriety, then, of limiting the tenure of judicial offices, so as to render the judiciary responsible to some authority, is a question not at all connected with the mode to be pursued in their appointment. It is true, that if this department is to be rendered subordinate to some authority in the state, grave and weighty reasons can be urged why it should not be placed at the mercy of the legislature or the executive; yet the first question to be determined is, shall we, or shall we not have a responsible judiciary? It will then be a matter for future decision to say, whether they shall be appointed by the governor, or elected by the legislature, or the people.

We have heretofore shown, that our notions about the independence of the judiciary, have been borrowed from England. We have shown that the independence of that department, as there understood, can have no application to this country. We have further endeavored to depict some of the evils which must necessarily flow from that irresponsibility. In addition to these things many cogent and unanswerable arguments could be urged in favor of a judiciary, constituted upon different principles, if it were deemed at all necessary to continue further the discussion upon that point. Recent events have shown, that upon this subject the public sentiment of the country has undergone a great and radical change. In six states of this Union, constitutions have been recently adopted, which recognise to the fullest extent, the necessity of holding all the departments of government to a proper responsibility. In New-York, Louisiana, Missouri, Texas, Illinois and Wisconsin, the people, through their representatives, displayed a wonderful unanimity as regards the propriety of limiting the tenure of judicial offices. In New-York, Louisiana and Texas, the highest judicial functionaries are to be appointed for the term of eight years; in Illinois for nine years; Wisconsin five years, and in Missouri for the term of twelve years; and there can be little doubt but that this same principle will soon be adopted and acted upon by every state in this Union. Irresponsibility in any of the departments of government is a despotic and not a republican principle. In the further discussion of this subject, then, we shall take it for granted, that this system of appointment for life is to be abolished. Our judges hereafter are to be appointed for a term of years. Their irresponsibility is to cease. They are to be accountable to some one; and the question is, to whom shall be confided the delicate duty of holding them to that accountability? We have no hesitation in saying, that we go for reposing that sacred trust in the hands of the people.

The first point which naturally suggests itself, in the investigation of this subject, is that involving the question of right. Have the people the

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political right of electing their judges? If so, then the advocates of a popular election are contending for nothing that is wrong. They are merely advocating the exercise of a right which is conceded. But it may be said, that although the existence of the right cannot be disputed, in the teeth of the acknowledged axiom of our government, that "all power is inherent in the people," yet the expediency of exercising that right, may be well questioned and utterly denied. The fallacy of such a position is easily exposed. No man can be deprived of a political right, under the pretext that it is inexpedient for him to exercise it. The right once granted or proved, the free exercise of it follows, else the term right conveys no idea which is definite and tangible to the human understanding. Of what avail will it be to possess a right, if it is to be possessed in theory alone? The Constitution declares, "that all power is inherent in the people;" yet, if none of the powers of the government are to be exercised by the people, what a grave and solemn mockery is this empty assertion of popular rights. It will doubtless be consoling to the people, to inform them that their *right* is unquestioned, to manage and control the affairs of their own government as they please; yet that it would be vastly more expedient and profitable to them, to permit others to exercise the rights which justly belong to them. This is the argument which is employed everywhere to comfort the sorrows and bind up the wounds of the crushed and down-trodden masses of the world. This is the argument, which is intended to make the Russian serf bend his back to the knout without a murmur, and which is used to prop up and support every grinding despotism upon earth. It is this argument which pours its syren voice into the ears of the English subject, and tells him, when gaunt and destroying famine preys upon his vitals, and sweeps his hearth-stone with desolation, that it is vastly more to his interest, that the powers of the government should be wrested from his hands, where they properly belong, and placed in the hands of his tyrants. Whether he believes in this principle, which dooms him to perpetual slavery, is a problem most easy of solution. Remove for a single day the military power of that government, and the setting sun would shed its light upon the ruins of that stupendous tyranny, which strides above the fortunes and liberties of her people.

And now the very argument which is employed by the monarchist, is the very argument which is employed by the opponent of an elective judiciary. As the people are told in one case, that it is for their benefit, that all the powers of the government should be confided to the sovereign, so are they inferred in the other case, that it is for their interest, that the governor or the legislature, should be permitted to appoint the judiciary. Can it be possible that the free people of this country will coutinue to be deceived and cajoled by an argument like this, and quietly permit themselves to be robbed of the exercise of their undoubted rights? Can it be, that they will consider that it is for their interest, that the most important functionaries of the state, who are daily called upon to decide questions involving their lives, their liberty, and their property, should hold their appointment from, and be responsible to, some other authority in the state than that of the people themselves? Education and habit can teach many things, but when rightly presented, they can hardly teach so monstrous a proposition as this.

The advocate of a judiciary elective by the people, is fortified by arguments which can neither be resisted nor refuted. In defending the acknowledged political right of the people to choose their own officers in all the departments of government, he stands upon a position which can be carried neither by siege nor by storm. He may be sneered at and taunted, and denounced as a destructive and a radical, but his cause is fast anchored

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in the affections of the people, and it is destined to a speedy and a glorious triumph.

In the organization of our government, if there is any one leading principle, which is recognized as essential, it is that of the separation and division of its powers. In a pure despotism, all power centres in the monarch. He is at once legislator, judge and executive. Just in proportion as you divide and separate these powers, you advance from monarchy to republicanism. In most of the constitutions adopted by the states, the powers of the government have been divided into three parts, legislative, executive, and judicial; each of which has been confided to a separate and distinct body of the magistracy. The importance of keeping them separate and distinct has been fully acknowledged, and the possibility of an union between them has been guarded against by prohibiting any person belonging to any one of the departments, from exercising any of the powers justly belonging to either of the others. The framers of these constitutions have sketched with a bold hand the true outlines of a republican government, and they have recognized to the fullest extent the principle, that as the centralization of power constitutes despotism, its separation and division constitutes the vital principle of a republic, but they have failed to carry out in practice what they have so justly announced in theory. In truth, our only safety consists in keeping each of the departments separate from, and independent of the rest. Any other organization of the government would be destructive of our liberties, and would lead to the most disastrous consequences. If the legislature be subordinate to the judiciary, or if the judiciary be subordinate to the legislature or the executive, what guaranty have we for the preservation and integrity of our constitution? That branch of the government which controls either of the other departments, will soon absorb to itself all the powers of the state, and the rights and liberties of the people will be engulphed in the whirlpool of its power. One single illustration will satisfy every one of the vast danger to be incurred by subjecting the judiciary to the control of the legislature or the executive. The constitution of most of the states declare that the writ of *habeas corpus* shall not be suspended except in case of war or actual invasion of the country. Suppose that the legislature should order this writ to be suspended in a time of profound peace, and a citizen being deprived illegally of his liberty, should seek to avail himself of the benefit of that writ, thus solemnly guaranteed to him by the constitution of his country;—do you think that a judge who was a candidate for re-election before that same legislature, would have the manly independence to tell the arbiters of his destiny, that they had trampled upon that law which they had sworn to support, and that their act was nugatory, and should therefore be annulled and set at nought? It is *possible* that he might thus rebuke from his seat the lawless spirit which had leaped over the bounds affixed to the legislative power; but it is *certain* that no second opportunity would be afforded to the heroic judge, to disregard the will of his masters. The vote of the legislature would teach him the power of the body he had thus defied, and his place would be occupied by some one more suppliant.

> "Who would bend the pregnant hinges
> Of the knee, that thrift might
> Follow fawning."

But it is proposed now to examine, somewhat at large, the various plans which have been suggested for the appointment of the judiciary. It is evident that the choice must be made between three powers in the state—the legislature, the governor, or the people. The question is, shall the judiciary

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be subordinate to the legislature or the executive, or shall it be responsible directly to the people.

If there is any system calculated to introduce corruption into our government, it is that which gives to the legislative power the appointment of the judiciary. In vain have the barriers of the constitution been erected around the rights of the citizen, if the judiciary is to spring from the same source which controls and creates the legislation of the country. The enactments of the constitution—the solemn provisions of the organic law, will weigh but as feathers in the balance, when brought in collision with the breath of that power to which the judiciary has been rendered subordinate; yet this is only one of the evils that would flow from the adoption of this system. To destroy the principle of the separation of powers; to break down the usefulness of the judiciary, by merging it in the legislature, would of itself be attended with disastrous consequences to the operations of government; yet the mischief would not be altogether confined to the prostration of one department at the footstool of another. The legislature itself would suffer equally with the judiciary; its integrity would be sapped by the temptations of the patronage conferred upon it, and the streams of our legislation would be poisoned at their fountain head; the legislative hall would be made an arena in which hungry office-seekers would be pitted against each other, and the passage of wholesome laws would be obstructed, and retarded or defeated, by the intrigues and cabals which such a system would necessarily engender. The candidate for one judgeship would need the assistance of the candidate for another judgeship, and he who would intrigue deepest and spread his webs widest, would carry off the judicial ermine as the trophy of his skill and the reward of his management. A judiciary thus constituted—thus springing from the hot and boiling cauldron of legislative intrigue, would be illy qualified to discharge the high and responsible duties devolved upon it by the constitution. In purity, in calmness, in elevation of character, in freedom from political bias and prejudice, it would be lamentably deficient, and there is every reason to fear that it would pervert and prostitute its high powers, to the promotion of its own base and unworthy ends.

The great object is to adopt some system which will ensure the attainment of honest and capable judges. But it is evident that this cannot be accomplished, unless the power which is vested with the appointment has a knowledge of the qualifications of the candidate. The legislature is composed of persons coming from all sections and quarters of the state; out of a hundred delegates, perhaps, but three or four will represent that section of the county for which the judge is to be chosen. Nine-tenths of the number will know nothing of the various candidates proposed for nomination, and will care as little upon whom the choice may fall. The representative from one section of the state will feel but little interest for himself or his constituents as regards the appointment of a judge in the other sections of the state. Thus, the appointment will be made by men, nine-tenths of whom have neither knowledge nor interest to regulate their decision. But, it may be said, that the legislature will be governed by the opinion of the immediate representatives of the people concerned. This, however, it will be remarked, is optional with each member composing the body of electors: but whether they do so or not, the objection to this mode of appointment is equally strong. If the opinion of the representative of each district is to prevail, where the necessity of calling in the residue of the legislature to assist in the election, when it is in their power to disregard the wishes of him who alone has knowledge or interest in the subject? Why not give at once, to the representative of each district, the right of appointing its judge? But if it is designed that the whole legislature should be a check upon the local representatives,

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then it is probable that in every case where the legislature undertakes to act in opposition to their will, that an incompetent or obnoxious judge would be foisted upon the people. The whole tendency of such a system is to lead inevitably to log-rolling and banter of votes. Except as regards the election of the supreme judiciary, whose jurisdiction is co-extensive with the limits of the state, it is evident that a vast majority of the legislature would have no personal and direct interest in the selection of a good judge for each of the districts. Each member of that body, however, will have some ulterior object to gain, of more interest to himself and his constituents than the appointment of a particular man to the office of judge in some of the neighboring or remote districts of the state. Whatever that object may be, his vote will be the chief capital upon which he is to rely for its attainment; and can it be doubted that that vote would be cast, not so much with reference to the choice of a good judge as to the accomplishment of his own purposes. The purity of the legislature, the dignity of the judiciary, and the proper working of our system, require that these two departments should not be so blended as to lead to the corruption of the one, and the degradation of the other.

To confer the power of appointment upon the executive is equally objectionable. The same reason which renders important that the judiciary should not be subordinate to the legislature, applies equally to the executive. It is the duty of the judiciary to bring the acts of the executive to the test of the constitution, and to keep this department within the sphere allotted to it by law. By holding in his hands the power of reappointment, you give to the executive absolute dominion over the judges, and if disposed to do a violent thing, he would soon fill the bench with fitting instruments to sanction and sanctify the deed. Give him this power, and he will unite in his own person all the powers of government; with legislative and executive functions, and a servile and obedient judiciary, he will possess as much power as the crowned monarch on his throne.

We object to it, also, because it is the one-man power. It is a shoot from the doctrine of the divine rights of kings; it is an exotic transplanted from the royal gardens of London Tower. The patronage of the executive is a remnant of the monarchial principle, and it is the fountain from whence have issued copious streams of demoralization that have flowed over the land. Nothing can be more disgraceful and degrading to the character of the American republic than the humiliating spectacle which is presented upon the accession of each new executive to the chair of state. That spectacle is not only witnessed in the state governments, but upon the more elevated theatre of the national government; swarms and myriads of office-hunters flock to the seat of government, as cormorants and vultures gather round a new slain carcass; they besiege and beset every avenue which leads to the executive palace; and it is said that one president lost his life by the harrassments and importunities of these hungry claimants, that would take no denial. It is a lamentable truth, yet it cannot be concealed, that there are hosts of individuals who follow in the wake of the two great political parties, as sharks following in the wake of a ship for the offal that is thrown overboard, or as thieves and banditti follow after the caravans of the East, for the hope of the plunder they may pick up in the rear. It is time that this evil should be remedied. This fountain of bitter waters should be dried up at its very source. The executive ought to be shorn of the whole of his patronage. The power of appointment should be taken from him altogether and placed where it properly belongs, in the hands of the people. Any convention which shall accomplish this important work of reformation, will have earned for itself a lasting title to the gratitude of posterity.

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ENGLISH AND AMERICAN LITERATURE.

It is remarkable what changes the approximation of America to Europe is annually producing in all the commercial, political and social relations of the old world. The habits and temperament of a monarchial people are essentially inert. They are not only slow to change in themselves, but have a strong dislike to those whose energy and activity promote changes around them. The Spanish, French, and Germans, are peculiarly wedded to old habits and old customs, and it is to this fact alone that the continuance of despotism, which indeed seeks to perpetuate it, in those countries is to be ascribed. As compared with the nations of the continent, the English have far more energy of character, and their advance is proportionably more rapid; but they are, nevertheless, far behind the American race in ceaseless activity and individual vigor. The national characters are more distinctly marked upon this continent than they can by any possibility be in comparing the nations of the old world with those of the new. It is now 325 years since Canada was explored and settled by the French, who penetrated through the Illinois country to St. Louis, and settled Louisiana about 1700; from 1770 to 1796 Spain held the latter country, which since 1804 has been in possession of the United States, while the English have held Canada nearly 100 years. The British in Canada have considerably improved, and the Americans in Louisiana have made prodigious advances in settling the country; but the French colony in Canada is now precisely what it was 300 years ago, and the old town of New-Orleans, with its Creole people, is no different from what it was when John Law based his famous scheme upon the settlement. The small number of Spaniards grafted upon the place during Spanish rule are still Spanish Creoles, and both Spaniards and French keep aloof with scowling distrust from the busy Yankees, whose enterprise is the source of their common prosperity. It is difficult to inoculate the people of Europe with an enterprising spirit. The English are more susceptible of its influence than those of the continent, a fact evident in the constant encroachments of the people upon aristocratic privileges, down to the great republican irruption of 1688. It required great power of mind and energy of character for a people, who for 500 years had bowed the neck to military oppressors, to overturn church and state, and place one of the people at the head of affairs. The select few who effected that revolution, were the essence of all that is bold and energetic in the Anglo-Saxon character. 20,000 of the most enterprising of that bold and daring class settled New-England, and their descendants have made the "desert blossom like the rose." Emerging from the smoke of Bunker's-Hill, they burst over the land, annihilating the savages in their path, astonishing the French settlers at the mouth of the "great valley," and are now swarming on the Pacific, and "revelling in the Halls of the Montezumas." As this people have multiplied and become physically great, the national mind has been developed, and its reflex is now working powerfully upon public opinion in the old world, changing the whole character of its literature, as our political progress is hastening the downfall of its aristocracy. In the countries of Europe the freedom of the press does not exist, the governments allowing no publications which have a tendency to bring their power into disrepute with the people. They will not allow their acts to be discussed, nor their policy to

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be canvassed. Hence writers must confine themselves to science or light literature, or write in favor of the existing order of things. In Great Britain the freedom of the press, nominally, has existed, but in reality, it has been as much fettered as on the continent. The mass of the English people are not readers. Those who do read, the consumers of books, so to speak, are the nobility and gentry. A writer, to be in favor with them, must advocate only aristocratic opinions and monarchial notions. Powerful writers, who could by their vigor of thought and strength of expression influence the masses, have been bought up by the government with direct bribes, or coerced into the desired course by the smiles or frowns of the aristocracy. All the modern English writers come under this head: Burke, Campbell, Moore, Southey, Scott, all who commenced as republicans ended as stipendiary loyalists, except Byron; and the persecutions he suffered socially, for his moral independence of character, until he was driven into exile, are well-known.

Among the peculiarities of the present century is periodical literature. In 1802 the Edinburgh Review was started; and it has uniformly advocated those high tory principles necessary to its welfare. It has been patronized and bepuffed, like all toadies, by their patrons. The arguments of Edmund Burke against the people's rights, were presented by George III., in handsome bindings, to many courtiers, with the remark, that it is "a book which all gentlemen ought to read." Following this example, the aristocracy took pleasure in recommending those which best supported their views, among the many Reviews that have been started for party purposes.—Gradually, however, a great change has overtaken English literature. Republicans and republicanism have made rapid progress on both sides of the water, and pompous absurdities are no longer swallowed for their "literary merits." When the Edinburgh was started, there were 10,000,000 people in England, and 4,000,000 in the United States, making 14,000,000 speaking English. Of these, there were probably 1,000,000 readers, all aristocratic, in England; and perhaps 300,000, partly aristocratic, in America. The "Market," which gave a tone to all English literature, was formed of the aristocracy of England. The few American writers, formed their works in accordance with English views, and sought distinction by flattering England. How meritorious soever might be an American writer, unless he repudiated democracy, and lauded the "land of our fathers" without stint or honesty, his hopes were vain; for without an English indorsement, his reception among American gentry, or what the Chinese would call "second chop" gentry, would be sufficiently cold. The author of Bracebridge Hall committed no such indiscretion.

At the present time there are 21,000,000 in England, and 20,000,000 in the United States. Of the former, there are probably 2,000,000 readers, one-half democratic, for democracy has taken long strides over John Bull's acres; of the latter there are probably 2,000,000 readers, seven-eighths democratic; the remainder are the miserable remains of the would-be gentry, allied to the old monarchists, among the ultra whigs. The number of readers here is doubling every twenty-five years, and another generation may find 20,000,000 democratic readers of English on this continent, against 500,000 aristocrats in England. Where will then be the market for literature? These results are so obvious, and events mature so rapidly, it may be safely said that the last elaborate aristocratic work has been written. For example, in 1842 was completed in England, in ten volumes, what purported to be "A History of Europe, from the Commencement of the French Revolution, in 1789, to the Restoration of the Bourbons, in 1815. By A. Allison." Inasmuch as it forms no part of

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English literature to adhere to facts, but merely to interlard the most palpable absurdities with pompous denunciations of democracy and "profound" laudations of the divine right, the fame of Allison's work in Great Britain was "upwards of prodigious." Every gale from the east bore upon its wings the most clamorous puffs for "the profound work," and American readers looked for nothing short of democratic annihilation. Presently, however, the Messrs. Harpers, with their great enterprise, put out a cheap edition in numbers, and as it spread through the land, every school-boy detected and became disgusted with its falsehoods and follies. The thing was too absurd; and notwithstanding the "soft soap" laid upon the Duke of Wellington, even he was obliged to repudiate the account of the Battle of Waterloo as wholly imaginative. Not that the authority of Wellington, whose chief wisdom consists in keeping quiet, is very conclusive on any subject, but it may be supposed that he was better informed than an advocate in relation to the events of the last great battle in which he was engaged. The age for such publications as Allison's is past. The aristocrats are no longer worth toadying for present plunder, and the most stupid can see that posterity has no fame in store for misdeeds so defamatory of human nature. In these facts we have the latent causes of the rapidly democratic tendency of English writers, a remarkable instance of which is the fact, that the Edinburgh, started and petted for 50 years as an aristocratic mouth-piece, is actually courting the patronage of democratic America!

It has been the policy of the English government and its aristocratic adherents to sustain, artificially, through onerous laws, a high level of prices for produce, fabrics, literature and salaries—every thing but labour; to fence in the supposed rights of British owners of property of all descriptions from foreign competition; to "take care of the rich that they may take care of the poor." The natural results of this system has been, that the number of those who have been unable to enjoy necessaries, not to say luxuries, or even comforts, has been continually increasing; the proportion of property holders to the whole population has annually become less, and they have continually enhanced the amount of labor they require in exchange for articles of consumption which they seek to monopolize. These demands have reached a point at which the utmost industry of a man will scarcely suffice to support life, and starvation is the lot of numbers. The tories have urged, that when the produce of England falls short of feeding the whole number of inhabitants, the property of those who have any should be exhausted in the competition for food, and those who have not property should STARVE. This policy is elaborately defended in the January number of Blackwood, which contains official tables, showing that the quantity of grain imported into England in nine months of 1847, was 63,200,000 bushels, and of flour, equal to 3,950,440 barrels. While it admits that all the produce of England was consumed at prices ranging as high as $4 40 per bushel for wheat, it condemns in strong terms the admission of the additional quantity from abroad to eke out the supply, as a "destructive free trade policy." A part of the exclusive policy which it so strongly advocates, even to the immolation of millions of human beings, is that which appertains to the publication of papers and periodicals. All publications are hedged round with formalities, taxes and disadvantages, that swell the cost of publication, in the view, as avowed by the advocates of the system, to lessen the number, make them *respectable!* and extend their *usefulness.* These two words mean, in plain English, to preserve aristocratic principles, and keep them under the control of the government.

The laws of Great Britain are such as to discourage publications, and by no possibility can foreign journals be circulated there. Newspapers and

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periodicals are subject to statutory enactments, as thus no person can print or publish any newspaper until an affidavit has first been filed at the stamp office, stating the names and places of abode of printer, publisher and proprietor; specifying the amount of shares in the undertaking, the title of the paper, and the description of the building where the paper is printed. A copy of the paper must be filed with the commissioner within six days after it is published. *Any person issuing a paper without the name and place of abode of the printer, may be apprehended and carried before a magistrate; securities may be demanded to the extent of* £400 from both the principal and sureties before the issuing of the paper, and when issued, it is subject to onerous stamp and advertisement duties. The effect of this is to create a monopoly of papers in the hands of a few persons. London, with a population of 2,500,000 souls, has not more than five or six daily papers; New-York, with 312,000 inhabitants, has twelve. Now mark the difference. The genius of our institutions is to permit labor to have its full reward, and not to oppress it for the benefit of property; consequently in the United States a person may print and issue whatsoever he will of his own volition, without official ceremony or government tax. The international result of this is, that all English papers may circulate here with as perfect freedom as our own, if they can find purchasers, while no American papers can circulate in England at all. One publisher, of whom we have personal knowledge, a few years since made up a package of different New-York papers, and started for Liverpool, to open an agency for their sale, believing, in the innocence of his heart, that "the press is free in England." The result was, that the day following his arrival, he was arrested, cast into prison, and his papers confiscated. Lucky to escape so, he came back to reprint English works here, where the freedom of the press is not in the name only. The formalities, taxes and charges that go to make up the cost of an English publication swell the price beyond the value of the thing, and it will not circulate here; but republished here in a cheap style, under our free insti utions, the government not interfering, it can be sold for something nearer its value. The Democratic Review, for instance, is furnished at $3 per annum; a *single number costs its English subscriber eight shillings sterling, or* $2 for admission, which would make the subscription price $27 per annum, of which $24 would go to the English government. It could not be reprinted to circulate in England under $10.* The oppressive laws of England effectually exclude any reprints of American periodical works, while the absence of all laws in the United States allows of the reprint of English books at very low prices, and therefore considerable numbers are circulated in Canada, and purchased by English residents, who could not or would not afford it at home; and for the same reason great numbers drink themselves to death, because brandy, which cost one shilling sterling at home, can be had here for one and a half pence. The English works so reprinted have the sublime assurance to complain of this as an injury to them; and precisely those prints which most strongly advocate oppressive and restrictive laws at home, are those most zealous in availing themselves of free trade in the United States. These facilities for printing have long caused the writers of Great Britain, more particularly the Edinburgh Review, to boil over with wrath at what they call "piracy," "robberies," &c. of their works and matter, by all which hard names and many more, they mean, that if a man buys a book or magazine in England, as for instance the Edinburgh, at 60 cents per number, and brings it to this country, and employs printers to get it up in a new style for general sale, at 25 cents, that he has "robbed somebody."

* Mr. John Miller, of London, has demand for, and could circulate great numbers of the "Democratic Review," but for the outrageous extortion of the British government.

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The simple truth is, that he has entered into an enterprize both laudable and praiseworthy. Suppose no such enterprize was undertaken, would any body be wronged? The English publisher would not sell a copy the more, and that the American publisher should make a market by his skill and enterprize for works that otherwise would not be sold, is no just cause of complaint to any one. For its former literary merits that work obtained a fair circulation in the United States among English refugees, and that would-be aristocratic class, which, although compelled to come in daily contact with the unwashed democracy, seek in their closets the consolation of transatlantic sympathies. By these means were sold a considerable number of copies of a very neat re-print by Scott & Co. The Edinburgh publishers, with a tact peculiarly Scotch, were determined, however, to get hold of some of the profits of this re-print, and in so doing strive to enhance the amount by awkward attempts to extend their American patronage. The first step was to seek out some individual who would be willing to slander, with sufficient vigor and recklessness, everything American, under the notion that the fancied sensitiveness of Americans in respect to foreign opinion, particularly when poured forth in the columns of "Maga," would produce a vast demand for the work. Having found among the hangers-on of the American press a suitable instrument, the next step was to cause said employeé to take out copy-rights of articles here, so that when the Review appeared, the publisher would be obliged to issue a mutilated copy, or none. The publishers were thus compelled, by the wily Scot, "to fork over" a part of the profits to obtain the copy-right. While we cannot but commend the sagacity and keenness with which our Scotch friends "come it over" the American publisher, we must also give them credit for renouncing the merit of the thing in favor of their American correspondent. The good "Maga" ingeniously tells us that an American gentleman suggested the "effectual means of redress" we have described, and goes on to say,

> "The *tone* and talent of this communication seemed to the publishers to recommend their correspondent himself as well-qualified to lead the way in this most righteous enterprize, and the result was the appearance, in the October number, of the article headed, 'Maga in America,' which was highly relished on both sides of the Atlantic."

The modesty of "Maga" is too great by half; he should, with maiden shyness, blushingly have confessed his own merits, and informed his countrymen, who so well "relish" "pitching into the Yankees," that the idea suggested by the "American gentleman" had, without consulting him, been carried out through another "able American correspondent," who could slander better and cheaper, and that "Maga" had thus made reprisals at least upon the ideas of one Yankee. This was the 'cute thing, and ought not to have been excluded from the long list of the virtues of "Maga," so scrupulously enumerated by his publisher, who gives an instance of the magnanimity of "Maga" as follows:

> "It would have been very easy for the proprietors to have brought the reprinters under heavy responsibilities, by giving them no hint of their movements, and allowing the October number to be published as usual, when Messrs. Scott & Co. would have been liable in a severe penalty for every copy sold."

Alas for the magnanimity of "Maga," its "movement" was well-known in New-York long before the October number. We ourselves were aware of it in the previous March; and moreover, the law of copy-right does not trust to the magnanimity of any parties, not even to the overflowing benevolence of our Caledonian mentors, but requires that a full and proper notice of the fact of the copy-right being secured, shall be duly inserted in

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every copy of the matter printed, thus preventing any such malignant robbery, as the imagined opportunity, which our good "Maga" seems half-inclined to regret. When the idea of those numerous half-dollars, which would make up the aggregrate of reprisals, over which our Scotch friends seem to have cogitated, presented itself, what struggles there must have been between avarice and vengeance on one hand, and the whisperings of ultimate interest on the other? The latter triumphed, and the ambush was at last abandoned, probably because it was "calculated" that a monthly instalment for the marauding copy-right would, in the end, sum up more than the proceeds of a sudden swoop. His good genius befriended the publisher in his decision. No doubt the sagacious plotter called to mind the fate of the proprietor of the goose of golden eggs, and he wisely determined to await with patience the monthly egestion, as ultimately more profitable than the destruction of the operating economy. Sawney having thus fairly out-generaled Jonathan, by a trick sufficiently "'cute" to have done honor to a Yankee, "Maga" shone forth with a new feature, viz. essays upon things American, firing away with increased energy against everything republican. It would appear that a number of small literati, some employed and many anxious to be employed, compete with each other in the virulence of their attacks and the recklessness of their slanders upon the United States and its people, pungency and malignity being the features required. From this choice collection an article is made up, pointed with such further malice as the venom of "Maga" may suggest. The silliness and mendacity of the fabric form no objection, seeing that it goes to English readers as a specimen of American matter, and its abuse "is highly-relished on both sides of the Atlantic." But while Jonathan is thus *pounded*, the coffers of "Maga" are gradually swollen with his pence, much to the pleasure apparently of the editor. Oh, shade of Scott and Macintosh! Oh, Jeffrey and Macauley! has your cherished offspring, the petted favorite of the aristocracy, at fifty years come to support itself on a democratic crutch, and none of the best at that? When Jeffrey declared that "the Review, in short, has but two legs to stand on—literature, no doubt, is one of them; but its right leg is politics," did he ever dream, poor man, that the latter should become lame, and its sustaining crutch be planted among Yankee democrats, while the hand-editorial was held out for pence on the score of the superiority of the *other* leg? Where is that patronage for which he labored assiduously for 38 years? Alas for "both legs," "Maga" is fain to gather pence in a foreign land, where neither its "politics" nor its "literature" are highly prized, in consideration of the abuse with which it bespatters its benefactors, and which may be called its *third leg*, newly-invented for the occasion. It has been said that decayed gentry make the most abusive beggars; and really the immigrant from "Auld Reekie" does no discredit to the saying. The attempt of the Scotch publisher, in hiring a scribbler here to copyright an article, is an unjustifiable and barefaced attempt to pick the pocket of the American publisher. The effect of the movement of "Maga" will be only to curtail its circulation here. The American publisher has already given notice that he may be compelled to raise the price of the reprint, in consequence of the extortion of the English publishers.

It is not alone the periodical literature of England that is undergoing great changes through American influence; what we have said in relation to the aristocratic influence upon periodicals and eminent writers, applies equally to the daily press. The policy of the government, as well as the interests of the aristocracy, the chief patrons of the press, together with the tradespeople, who advertise largely, have required a high tory tone from all publications; and as America has increased in power and influence, be-

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coming daily more formidable as well as unmanageable, the press has multiplied its falsehoods and scattered its misrepresentations in relation to the United States and its people broad-cast throughout Great Britain. The results of this are the almost incredible ignorance and stupid misconceptions of everything appertaining to America, which prevails even in the middle of this 19th century in England. To so great an extent is this observable, that an Englishman of average intelligence is a most amusing companion for the first few months after his arrival, and before his mind becomes disabused of the absurdities which have sedulously been instilled into it at home. During the last fifty years, however, the stream of immigration has set steadily to our shores from Great Britain, and so interwoven have the nations become, that there is not probably a single parish throughout the British islands but has its representative upon American soil. Every vessel which leaves the United States carries with it innumerable *letters*, to scatter through every British county. These letters are revolutionizing the English mind, and the people are becoming aware of the abuses of their government, as well as the excellencies of this. The evidence of this is the fact, that the *cheap* newspapers—those like the London Daily News, which was the first to break down the old extravagant price and place daily news in the hands of the masses, are favorable to the United States. The paper named contained recently one of the most able articles in defence of the United States and her people. Those papers which depend upon a large circulation among the people for support, have struck that chord which responds to transatlantic sympathies; and although the government seeks to keep papers out of the hands of the people by imposing a stamp and advertisement tax upon them, this abuse will soon disappear before growing intelligence; indeed, while the cheap papers are thriving, the old government hacks are fast decaying, notwithstanding that the sagacity of some of the conductors is almost equal to that of "Maga." The latter complains woefully that a great many of its papers have been reprinted and sold in America. The daily press have not found much sale for their issues, but they have resorted to another plan, viz: to procure as many correspondents from all parts of the world, the United States in particular, encouraging them to write, and when payment is demanded repudiating the contract, and resorting to a new victim. These repudiating tricks are becoming well understood; and as American shippers no longer consign produce to English merchants, because they cannot trust their honesty, nor dealers in any part of the world buy bills on English houses; so neither will American correspondents, of good standing, furnish English prints with matter, unless paid for in advance; indeed, many will not condescend to deal with them on any terms. As an instance: a gentleman who furnishes commercial statistics for New-York daily papers, was applied to by an agent of the London Times to furnish periodical statements for that paper. He promptly refused to have any connection whatever on any terms with the mendacious and reckless maligner of his country; and the only means by which the Times can now get them is at third hand, through such prints as the New-York Herald, which arrogates great importance to itself, on the ground that its figures are "copied in English papers." An enviable distinction truly!

There is a small class of scribblers here who suppose that if English works can be excluded from publication in the United States, that American works will sell better; as for instance, if the price of Blackwood should, either by the avarice of the Scotch publishers, or a tax levied here, be advanced in price, that the Democratic Review would sell better, and therefore it is to our interest that such advance take place. It will be observed that this resolves itself into a free trade principle, and is absurd. A subscriber

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to the Democratic Review would not abandon it for Blackwood, because the latter could be had for less money if that was the case, and *vice versa.* If, on the other hand, through a combination of quality and price, a foreign work could be furnished more desirable than the Democratic Review, what person or body of persons would be justified in demanding a law which should thwart the wishes of 5000 Democratic subscribers, to force upon them a work less desirable than one which could, without such intervention, be obtained for the same money? By what chance would a difference in price make a democratic reader prefer the aristocratic sophistries of Blackwood? Again, it is supposed that an exclusion of foreign works would create American writers. Did the English stamp duty produce the genius of Scott or Byron? or has America lost an Irving through its absence? Would a copyright law make people prefer "Great Abel and Little Manhattan" to Dombey & Son? Did the liberality of English publishers develope the genius of Dickens in the reports of a daily paper? These notions are absurd; and yet there is a number of scribblers who suppose that if American publishers were debarred from publishing foreign works for nothing, that they would be compelled to give them high pay for small service; a very doubtful contingency. It was not high pay that drew the Waverly novels from Scott. It was the necessities resulting from bankruptcy. The large emoluments that he derived from them were not the result of law, but of his own great genius. When such a writer shows himself in America, there will be no need of an international copyright to sell his works. The cupidity of Dickens and other popular writers induced them to attempt to procure an international copyright law, in order to secure to them profits at the expense of American readers. It is no doubt just that a writer, like any other laborer, should have the full reward of his industry secured to him, and he has so both in England and the United States. When, however, an English writer wishes to take advantage of the American market, he is to begin not by abusing the United States as "thieves," "robbers," "pirates," and a multitude of other hard names, but by seeking to reform his own government. If he wants privileges in America, let him seek to extend equivalents to Americans in England. The policy which the English government saw fit to pursue in relation to postal arrangements, will work no better in respect to other international matters than it did in that. The United States allow Englishmen to sell English papers and magazines here at their pleasure, and allowed English mails to pass from Boston into the Canadas unopened, and at small charge. England imprisons the man that attempts to sell American papers in Liverpool, and charges on letters by American steamers double the postage taken from those in English vessels. She pleads her "internal regulations" when the injustice of these proceedings are pointed out; but it will be observed, that it is the attempt to dictate to the United States copyright laws and regulations that form the basis of the foul clamours of Scotch reviewers. It must not be supposed that these English restrictions prevent all republication of American Books in England;—on the other hand, the great value of many American books of a solid nature—especially those on popular education—are to a very great extent reprinted and sold in England, at prices far above what they could be furnished for from this side. The copyright law of America was designed, like the patent laws, to secure to the author or inventor the exclusive sale of his production in the *American* market for a period of time sufficient to remunerate him for his skill, labor and expense. The law intended by this act that the work was to be published in the United States. It clearly did not intend that it should be made simply an instrument to deprive publishers of the right of republishing foreign books. The 8th section of the law especially states, 'nothing in this act shall be construed to extend to prohibit the publishing"

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of any foreign book, yet this law is made use of to prohibit the republication of Blackwood, by procuring the copyright of one article intended for publication in Edinburgh. If the law, as it is, warrants this proceeding, Congress should promptly amend it, so that United States publishers, printers and paper-makers may not be taxed for the benefit of those English journalists, whose vocation it is to sooth the chagrin of the English at the waning fortunes of their country, by vilifying and abusing the rising glories of the American Republic.

THE FOLLIES OF THE FACULTY.

Judging by the latitudinarianism of some practitioners, and the absurd nostrums of empirics and quacks, in all ages, it has been gravely asked, whether doctors are really not the final cause of disease. It is not, of course, to be disputed, that they have been, to no inconsiderable extent, accessory both to the reduction of disease, and—of life itself. But for the inherent tendency of mankind to blind credulity and superstition, which will be found to have obtained in all times, it may be doubted whether the profession of medicine would even have been made the vehicle of such gross absurdities and cunning impostures, as its past, and especially its earlier history reveals. We are not about, however, to cast any imputation upon the worthy representatives of the pure science of therapeutics; our purpose being rather to take a glance at some of the wild and monstrous follies, which have so long disputed their claims to the suffrages of society. "Nature," says a French philosophical writer, "is fighting with disease; a blind man armed with a club,—that is, the physician,—comes to settle the difference. He first tries to make peace; when he cannot accomplish this, he lifts his club and strikes at random. If he strikes the disease, he kills the disease; if he strikes nature, he kills the patient." And to prove, from one who himself turned state's evidence on this point,—D'Alembert relates, that an individual who, after conducting a prominent practice for thirty years, confessed, as his reason for retiring from it, that he was weary of *guessing!* An industrious nosologist has estimated that there are about 2,400 disorders incident to the human frame! What a field for the operations of witchcraft, charms, amulets, astrology, necromancy, alchymy, magic, and other like occult branches of science. Although the progress of Materia Medica, in our times, is less impeded by superstition and blind obedience to the axioms of the ancients, still much remains to be done, before our pharmacopæias will be found to exhibit the certain processes or specifics of ascertained value, by the adoption of those substances only whose effects upon the tissues of the human body are thoroughly understood. Says Dr. Abercrombie, "the uncertainty of medicine,—which is thus a theme both for the philosopher and the humorist,—is deeply felt by the practical physician in the daily exercise of his art. This uncertainty of medicine resolves itself chiefly into an apparent want of that uniformity of phenomena, which is so remarkable in other branches of physical science. These apparent discrepancies regard the characteristics and progress of disorder, and the action of external agents upon the body:—the diagnosis of disease, and its true antidote. It is an admitted fact, that with all the accumulative experience of the past, no certain, infallible data have yet been established for ascertaining the characters or external indications of certain internal diseases, as distinguished from those of others;—

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so many exhibiting appearances in common." Another writer of eminence has even asserted, that those persons, generally, are most confident in regard to the character of disease, whose knowledge is most limited; and that more extended observation induces doubt and indecision. If such uncertainty attends the diagnosis of disease, it will not be denied that at least an equal degree of incertitude must interfere in the application of remedial agents. To cite an illustration from the authority already referred to, we may state that the various modes by which internal inflammation terminates,—as resolution, suppuration, gangrene, adhesion, and effusion; but, in regard to any particular case of inflammation, how little notion can be formed of what will be its progress, or how it will terminate. An equal, or even a more remarkable uncertainty attends all our researches on the action of external agents upon the body,—as causes of disease, and as remedies; and in both cases their action is fraught with the highest degree of uncertainty. The great difficulty in medicine seems to consist in the tracing effects to their true causes, and vice versa.

We shall hereafter refer to the modern innovations upon the old orthodox system—hydropathy, homœpathy, mesmerism, and what has been styled "young physic;" meanwhile we venture to premise, that the less we have to do with physic altogether, the better for longevity. Dumoulin, a famous French practitioner, at his death, facetiously observed, that he left behind him two famous physicians,—regimen and river water. Had he given such advice at an earlier period, it would have given less equivocal evidence of his candor. Lest, however, we should be deemed worthy of a similar charge, we will here state at the outset, in justice to many noble instances of self-denying devotedness to the removal or mitigation of human suffering, that there have not been wanting many cherished names, connected with the medical profession, that would shed lustre in any department of life. Such men have been indeed blessings to their age, and to the world at large; and the fragrant memory of their benevolence and skill, would, of course, go far to redeem the profession they ennobled from the rebuke of charlatanism. Such men as Harvey, Garth, Radcliffe, and Brocklesby—the friend of Johnson, with others of literary taste and acquirements, are of this class. Pope, a few days prior to his decease, records the following high testimony to the urbanity and courtesy of his medical friends:—"There is no end of my kind treatment from the faculty; they are in general the most amiable companions, and the best friends, as well as the most learned men I know." And Dryden, in the postscript to his translation of Virgil, speaks in a similar way of the profession. "That I have recovered," says he, "in some measure the health which I had lost by too much application to this work, is owing, next to God's mercy, to the skill and care of Dr. Guibbons and Dr. Hobbs, the two ornaments of their profession, whom I can only pay by this acknowledgment. The whole faculty has always been ready to oblige me."

It will be remembered possibly, and it is a somewhat curious fact to commence with, that we have an instance on record of David in his youth, with his harp, striving by the aid of music to cure the mental derangement of Saul; a method of cure in those early times, which seems to have been commonly resorted to. Many of the classic writers allude to the practice; some even proposing it as a certain remedy for a dislocated limb, the gout, or even the bite of a viper. The medicinal properties of music were manifold and marvellous. For example: a fever was removed by a song—deafness, by a trumpet—and the pestilence chased away by the harmonious lyre! That deaf people can hear best in a great noise, is a fact alleged by some moderns, in favor of the ancient mode of removing deafness by the

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trumpet. "Dr. Willis tells us," says Burney, in his "History of Music," "of a lady who could *hear only while a drum was beating;* insomuch that her husband actually hired a drummer, as a servant, in order to enjoy the pleasure of her conversation." A certain Frenchman, Vigneul de Marville, insists that musical sounds contribute to the health of the body and the mind, assist the circulation of the blood, dissipate vapors, and open the vessels so that the action of perspiration is freer. He tells a story of a person of distinction, who assured him, that once being suddenly seized by violent illness, instead of a consultation of physicians, he immediately called a band of musicians, and their violins played so well in his inside, "that his bowels became perfectly *in tune,* and in a few hours were completely becalmed." Naturalists assert that animals are sensible to the charms of the divine art; why not the biped, man? The well-known lines will occur to the reader, beginning—

> "Music hath charms to soothe the savage breast," &c.

And the great dramatist predicates moral delinquency where the effects of its fascinating influence are not acknowledged:—

> "The man that hath no music in himself,
> Nor is not moved with concord of sweet sounds,—
> Is fit for treasons, stratagems and spoils."

A little plaintive, soothing melody after dinner, has long been resorted to as an auxiliary to the digestive process; the effect is to induce a temporary state of mental quiescence and repose, while it confers all the advantages of sleep with none of its disadvantages; putting the soul in tune, as Milton says, for any subsequent exertion.

Medical lore would not probably have been so far behind the other sciences, had its professors but husbanded in a collective form the experience of the past, as has been the case for example in the art of navigation. To begin with Galen, as a starting point, it will be sufficient to remark, that he reprobated such prescriptions as were composed of any portions of the human body; and he severely condemned Xenocrates for having introduced them, as being worse than useless in themselves, and wicked in their consequences. Yet these abominable ingredients continued in use till what may be called the reformation of medicine in the seventeenth century. Human bones were administered internally as a cure for ulcers, and the bones were to be those of the part affected. A preparation called *aqua divina* was made by cutting in pieces the body of a healthy man who had died a violent death, and distilling it with the bones and intestines. Human blood was prescribed for epilepsy, by great authorities; but others equally great, with better reason, condemned the practice, for this among other causes, that it might communicate the disease of the person from whom it was taken. Ignorant surgeons, when they bled a patient, used to make him drink the warm blood, that he might not lose the life which it contained. The heart dried, and taken in powder, was thought good in fevers; but conscientious practitioners were of opinion that it ought not to be used, because of the dangerous consequences which might be expected if such a remedy were in demand. It is not long since, a physician at Heidelberg prescribed human brains to be taken inwardly in violent fevers, and boasted of wonderful cures. And another German administered cat's entrails as a panacea.

The Egyptians and the Chinese doctors were compelled to practice according to prescribed rules enacted by law; and any deviation therefrom was visited with summary punishment. If a Chinese physician was detected

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in seeking to prolong his patient's malady by administering too liberally his nostrums, for the sake of augmenting his fees, he was dealt with as an extortioner. Such a regulation beyond the limits of the Celestial Eempire, might possibly work well, even in the present times, although the old system of "drugging" and "drenching" has now well nigh passed away.

A high degree of dignity has been ever claimed for the medical profession, as mediating between life and death; some even supposing it to have been of Divine origin, from the passage in *Ecclesiasticus:* "For the Lord hath created medicines out of the earth, and he that is wise will not abhor them." Some of the Floridian tribes, as we learn from the last volume of Southey's *Doctor*, had so high an opinion of medical virtue, that they buried all their dead except the doctors; them they *burnt*, reduced their bones to powder, and drank the same in water—a most delicious decoction for a delicate stomach! Old astrologers, and the like fraternity, with their mathematical marks and zodaical signs, conferred almost a superhuman importance upon their occult, mysterious doings. Even among our Indian tribes, the medicine-man seems invested with something more than mortal honors, possessing immunities over the bravest warrior chief. As if scorning the use of the common vernacular, the members of this learned profession again evince their conscious dignity by the adoption of the Latin tongue, for the double reason, it may be supposed, first, of shrouding their sage dicta in inscrutable mystery; and secondly, of awing into profound reverence of their marvellous wisdom the vulgar people! Did we say they use Latin,—we beg to be corrected by our facetious contemporary, in a late number of Douglas Jerrold's Magazine. This writer perpetrates so many amusing things in this connexion, that we must be excused an extended citation. He says:

"Their Latin is no more Latin than it is English; they have only half translated the tongue they employ; they have taken it out of English without putting it into any other language in particular. Our Sangrados, too, add insult to injury—they make us swallow their nasty stuffs, and call them by barbarous names to boot. They insist upon their Latin being as horrid as their drugs; not only is the draught nauseous to one species of taste, but the formula under which it is administered must be revolting to another.

"But bad Latin is not our principal objection to our friends of the College of Surgeons and Physicians. Even if they could write Ciceronian prescriptions, which they can't, or, at all events, won't—we ask, what would be the *cui bono* of doing so. We are not Romans, but Englishmen. Write as you speak. You ask us to put out our tongues, and to let you feel our pulse in plain English; you find the one too white, and the other too fast. Why don't you tell us the names of the drugs we must swallow, to restore the fine red of the one and moderate the jog-trot of the other, in plain English too?

"Gentlemen 'medicine-men,' or 'mystery-men,' as the Ojibbeways and other red brethren of the wilderness call you; there has been from time immemorial a considerable quantity of humbug in your profession, the still-existing remains of which we would fain see purged off. In times of yore, when people called you Leeches and Chirurgeons, you added a good many of the tricks of the juggler to your legitimate craft. You were then the prince professors of Alchemy, of Astrology; the principal conjurors and magicians of the olden time, ere the advent of Her Dobler and the Wizard of the North: you masqueraded in flowing robes and long beards, and carried white wands like the stewards at a charity dinner: you used a mysterious jargon, both in your medical and magical practice: you applied one to aid you in carrying on the other: you had sympathetic powders, and charms and enchantments: you worked both by spell and bill: 'hax, pax, max,' was an old medical charm against the effect of a mad-dog's bite: the not very dignified syllable of och, och, you held to be able to perform cures, to accomplish which, sulphur ointment has obtained a modern celebrity. Long ago, however, you gave

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up your patient's symptoms and chances in the stars, and you now look for the legitimate reward of your learned labors, rather to guinea fees than to the mystic riches of the crucible. So far so good. You have in a measure kept pace with the world which is moving on around you; but still, in some respects, you are lagging; still you have a yearning, longing for that veil of mystery, which once hung, awe-inspiring, around you; still in your prescriptions live the embers of your former secret fires; still, in ordering a simple pill, or soothing draught, do you fondly hug the glory with which the omne ignotem pro magnifico invests you. Of the old mystic formulas you still have a fond recollection. Gentlemen, your faith in spells is not yet at an end. In ordering a dose of salts, your sulph. mag. corresponds to the ancient och, och. We never see a prescription setting forth the necessity of beginning next day with a drachm of castor-oil, the neat and appropriate sentiment couched under the dim phraseology of olric. cras. mane. without thinking with great tolerance of the days when hax, pax, max, and similar luminous and useful sentences were in great vogue and vigor.

"Drop, then, we beseech of you, the last link which connects science with nonsense—the Doctor with the Diddler family; rhubarb will do as much good when ordered in English as in dog Latin; senna is not a bit more agreeable as Fol. sen. nor cream of tartar as Bitar. Pot. Apothecaries can understand "To be made into a draught," just as well as Fiat-Haustus; and even the most ignorant will not require more spelling over "The mixture to be taken at bed-time," than they would to read Mixt. h. s. sumda."

Would it not be well, then, for the medical fraternity to rid itself of these mummeries and relics of antiquated nonsense. Boasting its origin and authority to be heaven-derived, with its blazonry of factitious distinction; would it be suspected, after all, the curative art is to be traced even to the instinct of the brutes? For example, the sagacious dog, when indisposed, may be seen to enact himself the doctor, by a resort to the fields to eat a quantity of prickly grass,—an expedient which seldom fails of success, by acting as an emetic. The same with the cat, when she finds herself "a little under the weather," forthwith she sneaks off for some *catnip*. There is a story related of an Arabian shepherd, who, having observed the goats of his flock, as often as they browsed upon the coffee-fruit, to skip about and exhibit signs of intoxication, tasting the berry himself, tested the fact. The apes of Abyssinia, in the same way, indicated to their superior masters the laxative qualities of the *cassia fistula*. One might almost suppose, therefore, a necessity for the resorting to sorcery, witchcraft, stichomancy and other mysterious agencies, in order to disguise the humble sources of some elementary branches of our famed medical lore. Egypt, India and Palestine, seemed to have been blessed with no small supply of the erudite in these matters; such as pneumatologists, exorcists, magicians, thaumaturgists and enchanters. These magi combined with their exercise of the healing art, for the body, the power of cure of psychological maladies, as well of reading the stars and charming serpents. With such an extensive variety of departments, these ancient sages must have made a tolerably good thing of it, no doubt. In classic Greece and the Augustan age of Rome, sorcery and its kindred arts were extensively resorted to; and even till recent times such incantations were practised in some of the most polished countries of Europe. The press has, however, in these days, invaded the lurking places of ignorance, error and superstition, and we rejoice to believe that knowledge is no longer unjustly restricted to the temple or the cloister, but that now its luminous rays are permitted to dissipate the darkness that so long tyrannized over the world. To this source may be ascribed the rapid advances which students in the several departments of medicine have made in modern times, and by which they have been fast elevating the profession to the dignity of an exact science. Such men, we mean, as Hunter, Cooper, Johnson, Hope, Velpeau, Mott, and Liston, not to mention others, their predecessors, and

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scarcely their inferiors in rank. We have lately been reading Dr. Lawson's elegant address before the College of Ohio, and we present a brief passage from it, bearing upon our very point.

"In the beginning, medical science was regulated by the labors and opinions of *individuals;* next it became imbued with *national* characteristics growing out of the labor of whole nations. Still, intermixed with this *national* character of medicine, we find, at various periods, very prominent individual features; such as the gastro-enterite of Broussais, the encephalitis of Clutterbuck, the contra-stimulus of Rasori; but each of these contributed to that general stock of knowledge, which, in its turn, was destined to usher in what may be appropriately termed *universal medicine.*

"And thus the aspect of medical science, in the nineteenth century, has materially changed. And, although individual and national peculiarities still linger about it, yet these distinctive features have been so far merged into a common system, that the great and leading elements of the science are now *universal.* It is true, England is more inclined to what is termed rational empiricism—her physicians are more engaged in collecting facts and recording opinions, than in drawing conclusions or elaborating systems. It is true, France is pre-eminent in pathology and pharmaceutical chemistry;—and it is equally true, that Germany is particularly distinguished for her profound physiological researches. These peculiarities, however, are not to be regarded as being opposed to each other; on the contrary, they constitute so many excellencies in these departments, all tending to the same point.

"Relying upon these indubitable facts, we are fully sustained in the assertion, that medical science, as it exists in the middle of the nineteenth century, has cast off the shackles of individual control and of national dominion, and now proudly presents itself in the might and strength of a universal science, harmonizing in its several departments, and in all of its essential features."

The first distinguished quack we find mentioned in medical annals, and who may therefore be styled the prototype of his illustrious successors, rejoiced in the classic name of Asclepiodes; his eccentricity and affected contempt of everything in the way of medical lore that existed prior to his advent at Rome, gave him some considerable notoriety. With all his irregularities and whims, however, he certainly inculcated some good plain common sense. He was the originator of the *Balinea pensilis*, or shower bath, and the free application of cold water, externally and internally:—cheap remedies, and very effective in the cure and preventive of disease, for which discovery alone his memory will live. It is not surprising that men in early ages of civilization should ascribe the curative art to the potency of some unseen and supernatural agency, since the diseases incident to the human family were supposed to be the result of the ire of the heathen deities. Magic, says one of the classic writers, was the offspring of medicine, and after having fortified itself with the help of astrology, borrowed all its splendor and authority from religion. It is seldom now that we find the two professions combined—the cure of the body with that of the soul; but in former ages they seem to have been intimately allied: so much so, indeed, that the early fathers of medicine were accounted worthy of deification. Amulets and charms, and consecrated relics, so rife in superstitious times, served to test the credulity and ignorant subjection of the popular mind. Different kinds of materials were used by different people, but all agreed as to their faith in their efficacy as preventives against infection or disease, as well as their potency for the removal of maladies. The ignorant, however, were not alone liable to become the victims of the pleasing delusion, for we have testimony to prove that several of the learned were of this class, Lord Bacon among the number; although

"The dull would most honor pay to those,
Who on their understanding most impose."

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The great secret of success and popularity among practising physicians seems to have consisted in their acquisition of a name,—it matters not so much whether it be one of celebrity or mere notoriety—either will answer the purpose.

Pliny speaks of one Chrysippas, who was a famous practitioner of his day, who gained his notoriety by advocating *cabbages*, as the panacea for all complaints! The practice of physic, it must be apparent, is easily susceptible of being made the occasion of cheat and imposture. Abernethy, it will be remembered, on being appealed to by a female patient, on behalf of her fancied indisposition, had the frankness,—after taking his guinea fee,—to state that her symptoms merely indicated the absence of health and also of disease, and handing her back the shilling, advised her to get a *skipping-rope*, and use it! It is a singular enigma in human nature,—that tendency to yield one's self to the pleasing delusions of a cheat, even though the deception may be revealed, or at least fairly suspected. Dr. Parr defined the term *quack*, as being applicable to all who, by pompous pretences, mean insinuations, and indirect promises, endeavor to obtain that confidence, to which neither education, merit, nor experience entitle them. As long, therefore, as this innate love of the mysterious obtains among men, charlatanism will, to a greater or less degree, doubtless exist; for anomalous as it is, often the most cultivated and enthusiastic minds are the readiest victims of delusion. Walpole says that acute and sensible people are frequently the most easily deceived by quacks. A recent writer, referring to the success which generally attends any daring and impudent imposture, says: "If the cheat required ingenuity to detect it, there might be some hope for mankind; but it actually lies concealed in its *very obviousness*." "I seriously declare," says Sir A. B. Faulkner, "that I was myself pressed with no little earnestness, by a person not otherwise above par in credulity, trying to persuade me of its infallible powers—of what, think you?—actually and seriously *a decoction of flint stones!* The flints were to be boiled, and the superabundant liquor poured off for use. The lady who advised this delicious dose, would do so on the best authority; and not of one, but of many persons of her acquaintance, upon whose word she could place the most implicit reliance!" The charm consists in the *mystery* in all these cases; and among the accumulative evidence to this effect, take, for example, the case of credulity in Chili, related by *Zimmerman*, where the physicians blow around the beds of their patients to drive away diseases; and, as the people in that country believe that physic consists wholly in their "puffing and blowing"—if any person, therefore, attempts any method more laborious or difficult, he at once becomes obnoxious as an innovator. An easy expedient of "raising the wind," forsooth, and one which might, for consistency's sake, be commended to some members of the medical fraternity of our own times. Conceit, it is well-known, is a powerful auxiliary in the curative process of most nervous disorders, as well as in superinducing disease by the peculiar action of the nerves on the part supposed to be affected. What efficacy there can be in the above cited process of blowing, or by what means a patient could be induced to hope for any in it, strikes us, we must confess, as utterly inexplicable. But, do we ask what limits can be assigned to human credulity? Let the page of history furnish the reply; and let the following instance of this class suffice to show:—In a work, in the collection of Zion College, entitled, "The Englishe Housewife, containing the inward and outward Vertues which ought to be in a compleat Woman, as her skill in Physick, Chirurgerie, Cookerie," &c., 1633, is to be found a receipt to make *oil of swallows*, which, when made, "*is exceeding sovereign for any broken bone*

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bones out of joynt, or any paine, or grief, either in the bones or sinews!" It is true, modern quacks do not advertise their indispensable "pills," and other nostrums, with quite such *palpable* and impudent effrontery; yet, where can we find a newspaper, at the present day, uncontaminated by scores of pretenders, of even less honesty.

It was customary among the Africans, according to Dr. Winterbotham, in his account of Sierra Leone,—when affected with the head-ache, "to lie upon the hearth before a large fire, having a heavy stone laid upon one side of the head." This remedy not having been, we believe, experimented upon in this country, may possibly be attempted by some whose crania really seem able to endure anything. The following is an instance of a head-ache got rid of, as well as of a lameness, both of the rider and his horse at the same time; it is from Mr. Wesley's Journal, 1746: "My horse," he says, "was exceedingly lame; we could not discern what it was amiss; and yet he could scarce set his foot on the ground. My head ached more than it had done for some months, (what I here aver is the naked fact, let every man account for it as he sees fit.) I then thought, cannot God heal either man or beast, by any means, or without any! Immediately my weariness and my head-ache ceased, and my horse's lameness in the same instant; nor did he halt that day any more, or afterward!" Wesley, who himself wrote a book on physic, was strangely superstitious, and had strong notions of a diabolical agency in respect of diseases. He imputed to it many of the accidents and discomforts of life,—disease, bodily hurts, nightmare, and even storms and earthquakes. He believed that most mad men were demoniacs, and that epilepsy, as well as some other disorders, were the effect of possession. As he has indulged the reader with the liberty of drawing his own conclusions as to the *cause* of his and his horse's marvellous cure, we do not see that we are authorized to deprive him of his prerogative; but we must be allowed to express our unbounded admiration of his more than patriarchal faith. The head-ache is a calamity, however, like a "cold in the head," not to be made a joke of, although some desperate wag has done this, in some expressive lines we remember to have read, commencing and closing as followeth:

"A cold in the head!
What need be said
Uglier, stupider, more ill-bred:
Almost any other disease
May be romantic, if you please;
But who can scoff
At a very bad cough?
If you have a fever, you're laid on the shelf
To be sure—but then you pity yourself.
And your friends' anxiety highly excited
The curtains are drawn, and the chamber lighted,
Dimly, and softly, pleasanter far,
Than the starving sunshine that seems to jar
Every nerve into a separate knock,
And all at our mortal calamities mock.

* * * * * * * * *

Who *do* you suppose
Ever pitied a man for blowing his nose?
Yet what minor trial could ever be worse,—
Unless it be reading this blundering verse,
Never fit to be written, or read;
No—nor said,
Except by a man—*with a cold in his head!*"

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But we have doubtless well-nigh exhausted the reader's patience for one sitting, at least, and we shall therefore close for the present our desultory essay, with one or two illustrations of comical patients, as a counterpart to our preceding remarks. Referring to instances of mental illusion, hypochondria, phantasm, and monomania, it is scarcely necessary to inquire into the physical causes to which usually these maladies are to be ascribed: we therefore shall hasten to cite a case, from the numerous instances recorded by Dr. Rush, of mental derangement, and for the accuracy of which he vouches. It was of an unfortunate individual who was possessed with the strange conceit that he was once a calf; the name of the butcher that killed him, being given, who kept a stall in Philadelphia market, at which place was sold, without his leave or license, his *bodily* right and title, previous to his inhabiting his present "fleshly tabernacle." We do not venture into the regions of spectral illusions, or ghosts, but we may mention, in passing, the case of a crazy young lady, recorded by Dr. Ferriar, who fancied herself accompanied by her own apparition, and who may, of course, therefore, justly be said to have been, indeed, often—*beside herself.* A Lusitanian physician had a patient who insisted that he was entirely frozen, so that he would sit before a large fire, even during the dog-days, and yet cry of cold. A dress of rough sheep skins, saturated with aqua vitæ, was made for him, and they set him on fire: he then confessed that he was, for the first time, quite warm,—rather too much so; and indeed, this genial remedy cured him of his frigidity altogether. The following ludicrous story is told in the London Lancet:

"While residing at Rome," says the narrator, "I paid a visit to the lunatic asylum there, and among the remarkable patients, one was pointed out to me who had been saved, with much difficulty, from inflicting death upon himself by voluntary starvation in bed, under an impression that he was defunct, declaring that dead people never eat. It was soon obvious to all that the issue must be fatal. when the humane doctor bethought of the following stratagem: Half-a-dozen of the attendants, dressed in white shrouds, and their faces and hands covered with chalk, were marched in single file, with dead silence, into a room adjoining that of the patient, where he observed them, through a door purposely left open, sit down to a hearty meal. 'Hallo!' said he, that was deceased, presently to an attendant; 'who be they?' 'Dead men,' was the reply. 'What!' rejoined the corpse, 'dead men eat?' 'To be sure they do, as you see,' answered the attendant. 'If that's the case!' exclaimed the defunct, 'I'll join them, for I'm famished;' and thus instantly was the spell broken."

But we must refrain from further allusions to this class of diseases, which, alas! for the weakness of humanity, are found to prevail in all ages and among all nations,—Swedenborg and the Clairvoyant Davis not excepted. In *Poyntz's "World of Wonders,"* we find among other remarkable citations, the following instance recorded of an accomplished somnambulist, the circumstances of which are attested by a beneficed member of the Roman Catholic church. With this singular case of mental hallucination, we bring to a close, for the present, our somewhat rambling paper, intending to resume the subject in our ensuing number; meanwhile we beg indulgence of the reader for the temporary digression.

"In the college where he was educated was a young seminarist who habitually walked in his sleep; and while in a state of somnambulism, used to sit down to his desk and compose the most eloquent sermons; scrupulously erasing, effacing, or interlining, whenever an incorrect expression had fallen from his pen. Though his eyes were apparently fixed upon the paper when he wrote, it was clear that they exercised no optical functions; for he wrote just as well when an opaque substance was interposed between them and the sheet of the paper. Sometimes an

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attempt was made to remove the paper, in the idea that he would write upon the desk beneath. But it was observed that he instantly discerned the change, and sought another sheet of paper, as nearly as possible resembling the former one. At other times a blank sheet of paper was substituted by the bystanders for the one on which he had been writing; in which case, on reading over, as it were, his composition, he was sure to place the corrections, suggested by the perusal, at precisely the same intervals they would have occupied in the original sheet of manuscript. This young priest, moreover, was an able musician; and was seen to compose several pieces of music while in a state of somnambulism, drawing the lines of the music paper for the purpose with a ruler, and pen and ink, and filling the spaces with his notes with the utmost precision, besides a careful adaptation of the words in vocal pieces. On one occasion the somnambulist dreamed that he sprang into the river to save a drowning child; and, on his bed, he was seen to imitate the movement of swimming. Seizing the pillow, he appeared to snatch it from the waves and lay it on the shore. The night was intensely cold; and so severely did he appear affected by the imaginary chill of the river, as to tremble in every limb; and his state of cold and exhaustion, when roused, was so alarming, that it was judged necessary to administer wine and other restoratives."

VILE SPRING!

I, FROM my casement, at her own
  Saw her, all through the wintry weather;
Lovers, though each to each unknown,
  Our kisses crossed in air together.
Whole days we passed in peeping through
  These lime-trees, then from foliage clear:
But now their shade thou dost renew.
  Vile Spring! aye wilt thou re-appear?

Yes, in their gloomy shade receding,
  That dazzling angel now is lost,
Who there the birds would oft be feeding,
  On days when all was clothed in frost.
For her they chirped; their tricks below
  Were signals that our love would cheer:
Ah! there is nought so fair as snow!
  Vile Spring! aye wilt thou re-appear?

Without thee, I might still adore her,
  When from repose she breaks away,
Fresh as the painters paint Aurora
  Opening the curtains of the Day.
Without thee, might I say at night,
  "My star hath finished its career;
She sleeps; her lamp hath veiled its light."
  Vile Spring! aye wilt thou re-appear?

My heart for Winter prays again:
  Ah! would that in mine ear were sounding
The tinkle on the window pane,
  That the light sleet makes in rebounding!
How can thine ancient sway to me,
  Flower, zephyr, lengthened day, be dear?
No more 'tis mine her smile to see!
  Vile Spring! aye wilt thou re-appear?

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PHAEDON;

OR, THE IMMORTALITY OF THE SOUL.

TRANSLATED FROM THE GERMAN OF MOSES MENDELSSOHN.

(Continued.)

'CONSIDER well, my friend, in order that hereafter no doubt may arise whether thou hast not, in the beginning, granted too much. We demand for each natural change three things: The previous state of the thing which is to be changed; the succeeding, which is opposed to the former; and the intermediate, or one lying between the two, by which nature, as by a highway, passes from one to the other. Will this be granted?'

'Yes, yes!' cried Cebes, 'I see not how any one can doubt this truth.'

'Let us see,' answered Socrates, 'whether the consequences appear to you equally undeniable. It seems to me that *all things which are subject to change remain no moment without change;* but whilst time hastens on without rest, and the future constantly becomes the past, so all that is mutable is constantly undergoing some change, and presents, at each successive moment, a new form. Art thou satisfied of this also?'

'It is, at least, verisimilar.'

'It seems to me incontestable.'

'For, whatever is mutable, if it is a reality and no mere idea, must have the power to effect something, and the destiny to suffer or be affected.—Now, whether it act, or be acted upon, in either case it becomes something different from what it was before; and as the powers of nature are never at rest, what can stop this stream of transitions a single moment in its course?'

'Now I am convinced.'

'In no respect does it detract from the truth of this, that certain things appear to remain a long time unaltered; for a flame seems to us the same, and yet, it is nothing but a continued stream of fire that arises from the burning body and becomes visible. Colors often meet our eyes as unchanged, and yet the rays of light by which they are formed are never for an instant the same. If we would discover truth, we must consider things as they really are, and not as they appear.'

'By Jupiter,' replied Cebes, 'this truth opens to us a prospect as new as it is charming! My friends,' continued he, whilst he turned to us, 'the application of this doctrine to the nature of the soul seems to promise the most important consequences.'

'I have still one or two more principles to establish, before I come to the application. Whatever is mutable, we have seen can remain no moment unchanged; but as the past becomes the ancient, so the successive series of changes that have taken place go on increasing. Now, consider, Cebes, do the moments of time follow one another in a series of separate successions, or in a continuous sequence?'

'I do not conceive what thou wouldst say,' answered Cebes.

'Examples may make my meaning clearer. The surface of still water seems to spread forth in one continuous mass, and each drop has a common

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limit or boundary with that which is next to it; a heap of sand, on the contrary, consists of many grains, each of which has its own external surface. Is it not so?'

'This is conceivable.'

'When I pronounce the word *Cebes*, two distinct syllables follow one the other, between which no third is to be found.'

'Truly.'

'The word *Cebes* is not pronounced all at once, but the separate syllables of which it consists follow each other in a combination discontinuous, and each has its own termination.'

'But in the idea which my mind associates with this word, there are no parts which have separate limits. Is this so?'

'It seems to me there are none.'

'And properly; for all the parts of a complex idea so interpenetrate and flow into one another, that no limit can be assigned where this begins or that ends. They together form a continuous whole; but in the other case, each syllable has its fixed termination, and when several of these are united and form a word, they follow each other in a succession, and not in one continuous sound.'

'This is perfectly clear.'

'I ask now in reference to time; is it like the spoken word, or like the idea? Do moments follow in a continuous, or a discontinuous order?'

'In a continuous,' answered Cebes.

'Indeed,' said Simmias, 'if we recognize time through the succession of our ideas, how could it be possible that the nature of the successions in time and in ideas, should not be the same?'

'The parts of time,' continued Socrates, 'move as one, and have the same terminations.'

'True.'

'The smallest particle is such a succession of moments, may be divided into still smaller, which have also all the properties of time. Is it not so?'

'So it seems.'

'Then there are no two moments next to each other, that is, between which a third cannot be supposed?'

'This follows from what has been granted.'

'Do not the motions, and generally all the changes of nature, follow in the steps of time?'

'Yes.'

'They follow, also, like the moments of time, in a constant union?'

'Truly.'

'There will also be no two states next to each other, that is, between which a third cannot still be conceived?'

'This also seems true.'

'It, indeed, does appear to our senses, as if these changes took place successively, since they only discern them after marked intervals; but nature goes none the less her own way, and changes things gradually, and in a continuous manner. The least part of this series is itself a series of changes; and one may select two states as close to each other as he will, still there is an intermediate between them, which unites them with one another, and which nature shows as a way from one to the other.'

'I conceive all this very well,' said Cebes.

'My friends!' cried Socrates, 'now it is time to draw near to our purpose. We have assembled champions who will contend for our immortality, and I promise myself a certain victory. But shall we not, ac-

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cording to the practice of generals, ere we engage in the contest, review our forces, in order to know more exactly our strength and our weakness?'

Apollodorus begged a short recapitulation.

'The principles,' said Socrates, 'which we no longer call in question, are these:

'1. For every natural change three things are required: First, the condition of the changeable thing, which condition ceases. Secondly, another which shall take its place; and thirdly, the intermediate state, or point of transition, in order that the change may not take place violently, but by degrees.

'2. Whatever is subject to change remains no moment without really undergoing some change.

'3. The moments of time pass in a continuous stream, and there are no two which are next to each other.

'4. The series of changes agrees with those of time, and is so continuous and united, that one can find no two conditions which directly succeed each other, or between which an intermediate state cannot be found. Are we not agreed upon these points?'

'Yes,' said Cebes.

'Life and death, my dear Cebes, are opposite states. Are they not?'

'Truly!'

'And the last struggle is the immediate point between them.'

'True.'

'These great changes affect probably the soul as well as the body; for both natures stand during life in the closest union.'

'According to all appearance.'

'What happens to the body after this important change, we can learn from observation; for the prostrate form remains present to our senses; but how, and where, and what the soul may be, must be established by reason alone; for the soul has, through death, lost the means of communicating with the senses.'

'Certainly.'

'Shall we not, my dearest, first follow the visible through all its changes, and then compare, as far as possible, the invisible with the visible?'

'This seems to me the best way for us to commence,' answered Cebes.

'In every animated body there are constantly occurring separations and transformations, some of which go to the support of the living creature; others tend to its dissolution. Death and life commence their struggle with each other at birth.'

'Daily experience shows this.'

'What do we call that state,' asked Socrates, 'in which all the changes which take place in the animated machine tend more to its preservation than to its dissolution?'

'Do we not call it health?'

'What else?'

'On the contrary, the changes that operate to destroy this wonderful machine, are increased through sickness, or old age, which may be called a most natural sickness.'

'Certainly.'

'The destruction takes place gradually, and by imperceptible degrees. Finally, the structure falls to pieces, and is separated into the smallest particles.'

'But what happens? Do these parts cease to undergo alterations? Do

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they cease to act and to be acted upon? Are they entirely destroyed?'

'It seems not,' answered Cebes.

'No, it is not possible,' said Socrates, 'if that is true, about which we have agreed; for there must be a medium between being and non-existence.'

'I see, it could not be.'

'Existence and non-existence would then be two states immediately successive, which would therefore be next to each other; but we have seen that nature can produce no such changes which must happen violently and without any intermediate. Dost thou remember this principle?'

'Very well,' answered Cebes.

'Then nature can cause or produce neither existence nor annihilation?'

'Certainly not!'

'Therefore, nothing is lost by this dissolution of the animal frame. The disunited parts go forth still to exist, to act, to be acted upon, to be gathered and separated, till through infinite transitions they become parts of other formations. Many become dust, much becomes moisture; this rises into the air; that enters into and forms plants, passes from plants to living animals, and leaves the animal to afford nourishment to the worm. Is this agreeable to experience?'

'Perfectly, my Socrates,' answered Cebes and Simmias, at the same time.

'Thus we see, my friends, that life and death, so far as they concern the body, are not separated in nature. They are parts of a continuous series of changes, which by gradual transitions are united in the closest manner. There is no moment when man can say in strict truth: *Now the body dies;* as little can any one, speaking exactly, say: *Then it became sick,* or *then well.* Indeed, the changes appear to our senses to be separate, since they are not observed, except at considerable intervals; but enough, we know that they cannot in truth be so.

'I bethink me now of an example that will illustrate this. Our eyes, which are limited to a certain field of observation, distinguish clearly morning, noon, evening, and midnight, and it is to us as if these periods were separated and isolated from the rest. But whoever considers the whole earth, perceives clearly that the revolutions of day and night are continuously successive, and that each moment of time may be at once morning and evening, mid-day and midnight.

'Homer, as poet, has only liberty to ascribe to his gods actions in the day, as if the times of the day were separate periods to those who are not limited to the narrow circuit of the earth, and not rather that each moment were as much morning as evening. It is permitted the poets to use appearance in place of truth; but in point of fact, Aurora must be constantly opening the doors of Heaven with her rosy fingers, and incessantly dragging her yellow mantle from one place to another, so that the gods, since they would only sleep nights, may not continually slumber.

'So also the days of the week may be considered as one, and not divided: for the continuity and unity is only broken and divided into distinct portions by the imagination and the illusion of the senses; the understanding discerns clearly, that one should not stop there, where there is no real division. Is this clear, my friends?'

'Very,' said Simmias.

'In the life and death of plants and animals, it is nowise different. In the series of changes which the same object undergoes, a period commences

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according to the decision of our senses, when the object, whether plant or animal, falls under the cognition of our senses; and this in the plant is its shooting, and in living creatures we name it birth. The second period, when the animal or vegetable operations are withdrawn from our senses, we name death; and the third, when finally the animal or vegetable forms vanish and become invisible, we call the dissolution and destruction of the plant or animal. But in nature, all these changes form links in an unbroken chain, a gradual unfolding and folding up of the same thing, which invests and envelops itself in various forms. Is there any doubt of this?'

'None in the least,' answered Cebes.

'If we say,' continued Socrates, 'that the soul dies, we must establish one of two things: Either all her powers and faculties cease their actions and relations suddenly, the soul vanishes, as it were, in a twinkling, or like the body, it goes through gradual changes, innumerable transformations, which continue on in a constant series, and in this series there arrives a period when it is no longer a human soul, but something else; as the body, after innumerable transformations, ceases to be a human body, and is changed into dust, air, plants, or even into the parts of another animal. Is there any third way in which the soul can die, any other than *suddenly* or *gradually*?'

'No,' answered Cebes. 'This classification embraces every possibility.'

'Good,' said Socrates. 'Those who are still doubtful of the soul's immortality, can choose whether they will say they fear that it will vanish suddenly, or by-and-bye cease to be the same sthing that it was. Will Cebes step forward and in their place make the choice?'

'The question is whether they would allow the choice of their attorney. My counsel was that we should consider both cases; for if they should refuse my choice and declare otherwise, to-morrow there would be no one who could confute them.'

'My dear Cebes!' replied Socrates, 'Greece is a broad country, and also among the barbarians there must be many who lay these inquiries at heart. Yet, be it so! Let us consider both cases. The first was:—*Perhaps* the soul *suddenly ceases, in a twinkling vanishes away*. Is this in and of itself possible? Can nature produce annihilation?'

'In nowise; for that is true which we before granted, that nature can never cause annihilation.' 'And have we not justly granted this?' asked Socrates. 'Between existence and non-existence is a fearful chasm, which the gradually-working nature of things can never spring over.'

'Very true,' answered Cebes. 'But how if it were annihilated by a supernatural power, by a Divinity?'

'O, my friend!' exclaimed Socrates, 'how happy, how blessed are we, if we have nothing to fear, except from the immediate hand of Him, who alone can work miracles! What we feared was that our soul might be, from its very nature, subject to death; and we are now seeking by proofs to render vain this fear. That God, the merciful creator and supporter of all things, should, through a miracle, annihilate it!—No, Cebes, let us sooner fear that the sun will change us to ice, than dread from absolute Goodness the unmingled evil of annihilation by special miracle.'

'I did not reflect,' said Cebes, 'that my suggestion was almost a blasphemy!'

'One kind of death, then—sudden annihilation—affrights us no more; for it is beyond the power of nature. Yet, consider, my friends, the consequences, were the case otherwise. Suppose it were possible; the question then occurs, when, at what time, shall the soul vanish, and be no more? Probably at the time when the body no longer needs it, in the moment of death.'

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'According to all appearance.'

'Now we have seen, that there is no fixed moment, when one can say, *now* the body dies. The dissolution of the animated machine began long before its operations were visible to us; for the powers which are opposed to those which support life, have been continually acting and increasing, till at length the movements of the several parts no longer harmonize to one end, but tend different ways, and the machine dissolves. This takes place so gradually, that each state may be considered as having a common termination with the preceding, and as producing the succeeding. Have we established this?'

'Undoubtedly.'

'If, then, the death of the body is likewise the death of the soul, there must be no moment when one can say now the soul vanishes and ceases to be; but, by degrees, as the operations in the parts cease to harmonize to one end, the soul must also lose its power and inward activity. Does it not seem so to thee, my Cebes?'

'Exactly.'

'But see, what a wonderful turn our inquiry has taken! It seems like a work of art of my ancestor Dædalus, by inward impulse to have rolled to its former place.'

'How so?'

'We granted, (for a moment, at the request of our opponents,) that the soul might cease suddenly, and wished to see whether this fear was well-grounded. We have, therefore, inquired in what moment it would be annihilated, and this inquiry has brought us to the opposite of that with which we set out; namely, that it could not be suddenly destroyed; but must, if at all, gradually lose its inward power and activity.'

'So much the better,' answered Cebes; 'the principle granted above has refuted itself.'

'We have then only to inquire whether the powers of the soul can thus gradually pass away, as the parts of the physical frame are separated.'

'Certainly.'

'Let us follow these two intimate companions, body and soul, who are even to share death in common, upon their journey, in order to see where they remain at last. So long as most of the powers of the machine tend to the support and well-being of the whole, and whilst the organs of the senses discharge their appropriate offices, the soul possesses her full powers; she feels, thinks, loves, dislikes, conceives, wills. Is not this so?'

'Without doubt.'

'The body becomes sick; there is a discord perceptible between the operations within the machine, whilst many of them no longer harmonize and unite for the support of the whole, but have different and contrary tendencies. And the soul—?'

'As experience teaches, becomes weaker, is confused, thinks falsely, and acts often contrary to her wishes.'

'Well, I go on. The body dies, that is, all its operations tend no longer to life and the support of the whole; but within, some of the powers of life may still feebly act, which give to the soul a few faint impressions; and the capacity of the soul must now be limited to these. Is not this so?'

'Certainly.'

'Dissolution follows; the parts which, having had hitherto a common aim, have constituted a single machine, now have various tendencies, and go to form parts of other and manifold forms. And the soul, my Cebes, where shall we leave that? Her instrument is destroyed. That which

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remains is no longer hers, it forms no whole, and cannot be quickened. There are now no organs of sense or feeling, through whose means she can ever experience a single perception or emotion. Must all within her be waste and desolate? Have all her feelings and thoughts, her imaginings, her desires and aversions, inclinations and passions, vanished forever, nor left the smallest trace behind?'

'It cannot be possible,' said Cebes. 'What else were this than complete annihilation? And annihilation, as we have seen, is not in the power of nature.'

'What then is to be done, my friends? The soul cannot perish forever; for the last step, however far one may carry it, is still from being to nothing, a transition which can neither be inferred from the nature of things, single nor complex. It will then continue, and eternally exist. Will it exist? then must it act and be affected, must have ideas; for feelings, thoughts, and volitions are the peculiar actions and emotions which belong to a thinking being. Ideas always have their origin in sensible perceptions, and where shall the soul obtain sensible perceptions, when no instruments and organs of sense any longer remain?'

'Nothing seems to me more correct than the steps to both of these conclusions; and yet, they lead to a palpable contradiction.'

'One of the two,' continued Socrates, 'must be true; either the soul must be annihilated or it must still have ideas. One is very much inclined to regard both of these as impossible, and yet one of them must be. Let us see whether we can find any opening or way out of this labyrinth. On the one hand, our spirit cannot, in a natural manner, be annihilated. On what is this impossibility grounded? Be unwearied, my friends, in following me along this thorny road; it leads us to the noblest country which the mind of man hath ever enjoyed. Answer me! Has not a proper idea of power and natural changes led us to the conclusion that nature can effect no annihilation?'

'Surely!'

'On this side, then, there is no possible way out, and we must turn round. The soul cannot pass away, she must continue after death—must act, be affected, and possess ideas. On the other hand, is there any impossibility in the mind's possessing ideas without impressions made through the senses; or who will assure us of the impossibility of this? Is it not the mere experience of this life that we cannot perform mental operations without the aid of the organs of sense?'

'Nothing else.'

'But what ground have we to extend this experience beyond the limits of this life, and to deny absolutely to the nature of the soul the power to think without this organized body? What thinkest thou, Cebes, should we not consider a man ridiculous who, though he had never been without the walls of Athens, should nevertheless conclude from his own experience, that in all places upon the earth, day and night, summer and winter, alternated exactly as with us?'

'Nothing were more absurd.'

'If a child in its mother's womb could reason, would it be easily persuaded that it should be separated from its mother, and enjoy the free air, and the quickening light of the sun? Would it not rather, out of present circumstances, be inclined to infer the impossibility of this?'

'According to all appearance.'

'And do we act more rationally when we, imprisoned in this life, would establish what may be possible to nature after this life? A single look into the inexhaustible manifoldness of nature will convince us of the unreason-

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ableness of such a conclusion. How poor and weak would she be, did not her power extend further than our experience!'

'Truly.'

'We may then reject this experience, since we can set against it the established impossibility, that our soul can perish. Homer lets his hero justly exclaim: 'Yea, the soul still moves in the house of Orcus, though no mortal enter there.' The ideas which Homer gives us of Hades and the shades that wander there, seem not generally to agree with truth; but this is certain, my beloved friends, our spirit triumphs over death and corruption, leaves the corpse behind to fulfil, in a thousand different forms, the design of the Highest; but the immortal part rises from the dust, and goes forth to behold the works of the Creator, and cherish thoughts of the power of the Infinite; governed, indeed, by natural laws, but such as transcend our earthly conceptions. Yet weigh this, my friends! If our soul, after the death of the body, still live and think, will it not then also, as in the present state, strive after blessedness?'

'It seems to me probable,' said Simmias; 'but I no longer trust my own presumption, and wish to hear thy reasons.'

'My reasons are these,' replied Socrates: 'If the soul thinks, she must exchange within herself ideas with ideas; some of these ideas must be voluntary, others involuntary; that is, she must possess a will; but if she has a will, whither can this tend, except to the highest degree of well-being, blessedness?'

'This was clear to all. But in what,' continued Socrates, 'consists the well-being of a spirit that has no more to care for the wants of the body? Meat and drink, love and pleasure, can no longer delight it; what in this life, touch or taste, eyes or ears enjoyed, is there unworthy of its esteem? Only a faint, perhaps regretful, recollection will remain of the pleasures which it enjoyed in the society of the body. Will it, then, strive after these things?'

'As little as a rational man for the play-things of childhood,' said Simmias.

'Will extensive power ever be an object of its wishes?'

'How could this be possible in a state where, according to all appearance, no property being possessed, no power could be enjoyed?'

'The desire of honor is, indeed, a passion which apparently might still cleave to the departed spirit; for it seems to have less connection with the wants of the body; but on what will the bodiless spirit found its claim to pre-eminence? Certainly not on power, nor wealth, nor noble birth; for all these follies it leaves behind on earth with the body.'

'True!'

'There remain then nothing but wisdom, the love of virtue, and knowledge of truth, which can give to the spirit precedence, and raise it above its fellow-spirits. Besides this noble ambition, it will enjoy those agreeable spiritual emotions, which delighted the soul on earth apart from the body, as those of beauty, order, symmetry, perfection. These emotions are so inherent in the nature of a spirit, that they can never be separated from it. He who upon earth has cared for his soul, who in this life has devoted himself to wisdom, virtue, and taken delight in true beauty, has the greatest hopes of continuing after death in these employments, and of drawing nearer and nearer to that Being who is the fountain of all wisdom, the source of every perfection, and pre-eminently beauty itself. Call to mind, my friends, those happy moments which you have enjoyed, as often as the soul, transported with spiritual beauty, has forgotten the body with its wants, and resigned itself wholly to this holy feeling. What awe!—what inspira-

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tion! Nothing but the near presence of a Divinity can raise in us these sublime emotions. Also, in truth, every idea of spiritual beauty is a glance into the being of Deity; for the beauty, harmonious order, and perfection which we perceive, are faint impressions of Him who is essential and absolute beauty, order, and perfection.

'I recollect that I have set forth these thoughts clearly enough on another occasion, and will, at present, only add the conclusions to be drawn from them. If it is true, that after this life, wisdom and virtue will be the objects of our ambition, and a strife for spiritual beauty, order and perfection, constitute our desires, then will our enduring being be nothing but one unbroken contemplation of Deity; a holy enjoyment, which, as little as we can conceive of it, will reward the noble toil of the virtuous with eternal gain. What are all the hardships of this life, compared with such an eternity! What are poverty, contempt, and the most shameful death, if we thereby attain to such beatitude! No, my friends! he who is conscious of an upright life, cannot possibly afflict himself when he is entering upon the journey to this happiness. But whoever in his life has injured gods and men; who has revelled in degrading pleasures; who has sacrificed men to his idol ambition, and found his enjoyment in the suffering of another; he may tremble on the threshold of death, whilst he can cast no look upon the past, but with remorse, nor on the future, without fear. But since, thanks to God! I have to reproach myself with none of these things; since in my whole life I have earnestly sought after wisdom, and loved virtue above all, I rejoice to hear the voice of God, which calls me hence to enjoy in that light, what, in this darkness, I strove to attain. But do ye, my friends, consider well the grounds of my hopes; and if they convince you, then bless my departure; and so live, that at last death may call, and not violently drag you away! Perhaps, hereafter, in glorified friendship, the Deity may again bring us to each other's arms. O, with what transport shall we then recall this day!'

INFLUENCE OF PENAL LAWS.

THAT the laws be just and wisely administered should be the first aim of a free people. Every effort to attain this deserves commendation, and no exertion whatever for its attainment should be considered too arduous. In their efficacy consists the safeguard of the republic. The design of this article will be to consider the manner in which the laws and institutions of a country may, in the best manner, be improved, and to inquire if, in the instances of the highest crimes, some other mode of punishment ought not to be substituted for the one now employed, and also to show that the true end of legislation is not to invent punishments, but to remove the inducements to crime. Though the design is not to point out this as a new truth, but to present it to the mind as worthy of renewed attention.

Since the institutions of a country have a great influence on its citizens, it is the duty of those in whose hands these are entrusted, to provide that these be the best which their condition will allow. History throws light upon this; but if some one of superior mind and attainments should travel through the divisions of the continent, with the design of observing the laws

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of those divisions and the condition of the people to which those laws were applicable, such a tour would be of great benefit in the advancement of practical learning. In addition to this, a well digested history of the laws of different countries and states would be of great value. It is not alone the most enlightened nations whose history benefits us. The tribunal of conciliation in the monarchy of Denmark would be an advance in the institutions of America. The tribunal of conciliation established since 1795, is composed of the most intelligent and respectable men in the vicinage, and its sessions are private. It is competent to determine upon a great number of civil questions; and if both parties agree to the arrangement proposed by the court, its decree is registered and has legal authority. If the parties cannot by the amicable interference of the mediators, they are at full liberty to prosecute their suit in a court of justice. Proceedings cannot be protracted longer than fifteen days in the country, and eight days in the towns, unless both parties consent to a longer delay; expenses not to be paid but in case of reconciliation. Law suits the three years following this, were less than in the three preceding by fifteen thousand eight hundred and sixty-three. For further remarks upon this, consult Sydney Smith's Tableau des Etats Danois. If, to the history of the laws of ancient countries, and to observations on, and history of, the laws of existing institutions, were brought sound reasoning in applying particular rules to the peculiar dispositions and genius of a people, it would result in institutions and laws held in honor in all civilized lands.

Having given this view of the manner in which all laws and institutions may be perfected, and of the manner in which this particular kind of learning may be advanced, the principles desirable to be considered in legislative enactments may now be remarked upon. The legitimate object of the criminal law, is to prevent the inconveniences arising to society from crimes and misdemeanors. It is desirable, if it be practicable, that the same hand that punishes with the view of the general good, should aim to reform for the good of the individual. Too great severities may be unjustly assumed. But it seems late to consider this question after so many centuries have passed, each having its various governments punishing with the greatest rigor. But though these punishments have continued so long in practice, their utility has frequently been questioned. Cicero, in his orations against Cataline, discussed the question whether Cataline and his followers should be punished with death or banishment; Caius Cæsar inclines to the latter; Cicero himself, in this unparalelled instance, after some hesitating, inclines to the former. But the Marquis Beccaria urged the duty to forego punishment by taking life, and in many instances the opinions of the learned Montesquieu strongly incline to the same opinion, while no part of his work is directly against it. The germ of this principle has existed in the minds of the English jurists from the time of Sir Edward Coke to the present time; and numerous documents have of late appeared among us, among the more important of which were the argument of Edward Livingston and the report of Mr. O'Sullivan. Indeed, if this be a right principle, its germ has lain in the mind of man since its creation. The voice of God within is solemn as prophesy.

On what is the right of punishment founded? In a natural state of society, one man has no right to punish another for wrongs committed against his fellows. If this were otherwise, every individual could assume to punish individually one single offender. But in the formation of society that right to punish is delegated by compact to particular individuals appointed by the society for their good, that they may be freed from the outrages and annoyances which otherwise threaten them. We do not recognize the

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doctrine as legitimate, that the rights of kings are not human but divine. If, then, the right of punishment is ceded by individuals, how great is the power conferred in this grant? What powers have men in a natural state before their formation into a society? If each individual have a right to punish offences which do not affect his own person, we have already seen what confusion this would result in. Shall it be granted to heads of a family to punish wrongs committed against his family?—for family ties are not peculiar to a society, but pertaining to humanity; though in a more confined sense than we now use the term, they would necessarily protect and perhaps as necessarily punish. But to determine here how severely they might punish, has as much difficulty as to decide in the first place how severely men have a right to punish when society is formed. The Marquis Beccaria conceives in his argument that men cannot delegate what they have not themselves. True, they cannot; hence he concludes they cannot grant the right to take their own lives, for they themselves are forbid to do this, and likewise further concludes that the rulers for this reason cannot assume this right. And if individuals granted to rulers the right to rule them instead of their ruling themselves, then they could not assume to punish them by death, inasmuch as he who granted had no right to take his own life. But the idea of protection entered largely into the design in the formation of society, in forming which they yield up tacitly whatever former rights conflict with the general convenience.

Has society then a right to assume this? and if they have this right, is it expedient, meaning by this term, is it the most just and humane method of punishment? Did the laws by which the Israelites as a nation were governed, sanction this? And if they did, is there properly a distinction between these laws and the moral laws which were given alike for all ages, such as the ten commandments? These were put in the interrogative form, because there are many difficult questions pertaining to the subject, which can properly be authoritatively spoken of only by eminent Hebrew scholars and divines. If, then, those laws which were national to the Jews are excluded from our consideration in this place, what may be said of those positive laws, such as "thou shalt not kill." Receiving it authoritatively without comment admits too much, for we should then be forbidden to do this in self-defence. But much learning has already been exhausted on this subject, though it still remains in some obscurity. But whatever may be mens' conflicting opinion in regard to the Bible's sanctioning or condemning this mode of punishment, the moral law remains the same in all places and in all times—the same to Jew or Greek; and this same law is beautifully true to nature. The laws that are given in that volume when rightly interpreted, are but the vivid expressions of those laws that are born with the mind of man. The voice of enlightened reason is the voice of God.

Reason, then, is to prescribe the rules which shall preserve the social compact in a just manner. And it is believed that there now exist laws not just, because not the most mild, which can be adopted and yet be preventive. And when the question concerns so grave a subject as the taking of human life, even if the opponents of this particular rule of law should fail to demonstrate beyond a doubt that some other would be better, its supporters ought conclusively to prove the affirmative, that is, that no other method can be adopted equally preventive or sufficiently so, to make it more just than the one at present employed. But that which is wanting to prove the negative successfully, is equally wanting in the proof of the affirmative. We know how the affirmative rule operates, but we have no experience of the negative. For, in considering the question, it must be confined to our own people, and the consideration may be prefaced by the remark that all laws must have a

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regard to the enlightenment, the learning, and religion of a people. The spirit of a people is as much to be considered in ruling them, as that of a child in its government. Harsh laws are as ill suited to one kind of people as mild laws are to another. Injudicious treatment towards a child instead of subduing it, will make it still more ungovernable, and nature is the same among all people. There is scarce a heart on earth that may not be melted by kindness, or scarcely one that may not be rendered stubborn by harshness; and the influence that a people are susceptible of from the laws, and besides that, the laws exercised over them, should not escape the keenest scrutiny of the philanthropic legislator.

If the great object of legislators be to prevent crime by cruel punishments, crimes are more frequent now, and yet more cruel punishments have been invented than those at present employed. If the argument in support of the affirmative is that crimes are prevented in proportion to the cruelty of punishment, crimes are now by no means prevented, and yet punishments are not the cruelest; therefore, it is just to restore the rack, the stake, and all the refined inventions, in the way of inflicting tortures of the inquisition. If, in acting upon the negative in practice more crimes were committed, and for this reason some one lays the blood of his friend at the doors of the lawgivers; granting the theory of the affirmative to be true, thousands may bring the grave charge that they have omitted to practice the inventions of more cruel tortures. But will men say there is a means and that means is the present system? they recede then from the idea that punishments should be the most thoroughly preventive, however cruel, and qualify it by saying, if they are not too cruel. We look upon the tortures of the inquisition in an impassioned manner; and it is not in our power to tell how the present system would appear viewed in the same light.

But this theory of cruelty fails of its object, and the public sentiment would justly condemn anything more cruel. Is this theory, then, in its perfection? it will not do to be more cruel, will it do to be less cruel? Is it unwise to adopt another system? have our criminal laws so thoroughly imbibed the true principles of legislation that they may not be improved?

The punishment proposed as a substitute is imprisonment for life. The principle that certainty of punishment is more preventive of crime than cruelty, applies to capital punishment with less aptness than to imprisonment. To justify executing a criminal the crime must be proved beyond a doubt, beyond almost a probability of doubt in reasonable minds; and this arises from the sacredness in which life is held. Hence there is great hope of escaping the punishment; and so far as there is a possibility of this, is the crime more liable to be committed. Again, jurors are reluctant to pronounce the sentence of guilty when the penalty is death; and from a kindred feeling, counsel will exert all their ingenuity to render the criminal irresponsible for the reason of insanity; and public opinion tolerates this from its secret abhorrence of the penalty. But if the punishment were of a nature less cruel, it would be more certain.

Mr. Bradford relates the case of two men who, when convicted, the one for robbery the other of burglary, had their option of undergoing sentence of death, or of having the benefit of a change in the law taking place at that time, by which their sentence would have been imprisonment for life. The former was their choice, preferring the risk of death, with the chance of pardon, to the certainty of a long imprisonment.

Imprisonment for life may be a severity which we would wish there were no necessity of inflicting; but the act of the criminal here is seen in its true light, for our prejudices are not called out by the fate of the accused. If

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we have judged wrong, this may be an example of certainty, as no human being has been struck from existence.

Montesquieu recognises the principle of inflicting the punishment which pertains to the crime if clearly proved, but mitigating it if it should be proved with less clearness; and too much pains cannot be taken to render punishment certain. It seems almost an awful thing to take the life of men, but if they are imprisoned, they yet may labor for the public and still be objects of our beneficence. And is there no possible means to reclaim them? That much can be done for these is no longer a matter of conjecture, it is proved by many instances in the past.

Again, if punishments be severe, men are naturally led to the perpetration of other crimes to avoid the punishment due to the first. And let us for example suppose two nations, in one of which the greatest punishment is perpetual slavery, and in the other the wheel, both will inspire the same degree of terror, and that there can be no reason for increasing the punishment of the first, which are not equally valid for augmenting those of the second. Experience shows that in countries remarkable for the lenity of peril, because the spirit of the inhabitants is as much affected by them as in other countries by severer punishments, robberies on the highway had grown common in some countries, and in order to remedy this evil, they invented the punishment of breaking upon the wheel, the terror of which put a stop for awhile to this mischievous practice; but soon after robberies on the highways were as common as ever. Men must not be led by excess of violence. If we inquire into the cause of all human corruption, we shall find that they proceed from the impunity of crimes, and not from the moderation of punishment. The Argines says, Plutarch having put fifteen hundred of their citizens to death, the Athenians ordered sacrifices of expiation, that it might please the Gods to turn the hearts of the Athenians from so cruel a thought.

There are two sorts of corruption; the one when the people do not observe the laws; the other, when they are corrupted by the laws. Governments give examples of cruelty, and render life less sacred by the present method of punishment. Our people have become familiar with it, and it has lost its terror. And if any fear that abolishing it would work an ill, we have authority to the contrary. The punishments of the regal laws and those of the twelve tables were almost all abolished in the time of the republic, in consequence either of the Valerian or the Porcian law. It was never observed that this step did any manner of prejudice to the civil administration. And the punishment of death was abolished during a period of twenty-five years in Tuscany, by the Grand Duke Leopold, says the report of M. Berenger to the French Chamber of Deputies in 1830; and the mildness of the penal legislation had so improved the character of the people there, that there was a time when the prisons of the Grand Duchy were found entirely empty. And if any shall object that there is an incompleteness in these, inasmuch as they do not preclude the possibility of some other paramount or coincident cause of the effect, we allow this, and regret that there are not able and full reports, which could leave no doubts in the mind of the nicest observer.

It is better to prevent crimes than to punish them. This is the fundamental principle of good legislation. "Would you prevent crimes? Let the laws be clear and simple, let the entire force of the nation be united in their defence. To have the laws successfully administered, they must be appreciated by enlightened public opinion."* The chicanery of counsel for

* Marquis Beccaria.

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a guilty client will then be disreputable, and he, only, praised for being a good citizen, whatever his profession, who sees that no offender escapes solemn justice. The present system, then, first, is cruel; second, that cruelty, by familiarity, has lost its terrors; third, there are many adventitious circumstances rendering its infliction uncertain; fourth, its influence is pernicious. While the one proposed is more humane, and leaves room for reform in the offender, it is more certain, and sufficiently severe to render the condition of the offender more intolerable than it was before he committed the crime, and all beyond this is needless severity.

If there is any other punishment preventive, no one will doubt that the present ought to be rejected. And what shall we say of the prisons constantly accumulating with inmates. Has government done all it can do for the good of the governed? These outcasts have become so by degradation, and shall they be thrown aside like a worthless thing in whom never breathed a human soul? Shall the rulers rest satisfied with doing this? or shall they not rather exert an influence to prevent this degradation? Naturalists have spared no pains to learn what climate, what light, what soil, is necessary to perfect the organization and color and beauty of the plants, and are we not of more value than they? Shall we not turn our attention to the influences which must surround man, in order to perfect his nature? They have resigned themselves into your charge, is it enough simply to defend them from outrage? But how feebly have you done even this. Have you rendered life, reputation or property safe? You have not. Your efforts, under your present course, are too puny to do this. Laws must not only protect, they should be not only negative, but a positive good to the people. That father does not regulate his household well, who simply protects it from invasion from without. The falsehood, the misery, the corruptions, the poverty, will cry out to deliver back society to its original elements, if civil government has given its full of blessings. A people—who are they? what is their condition? A portion of them are surrounded by taste and elegance, and this is commendable, this is true to nature. Amid taste, elegance, and virtuous example, the virtues flourish; let to these be added some virtuous occupation, and man is surrounded by the influences which his nature requires. But how few, in comparison with the whole, are thus surrounded. And what are the other influences? what are the opposites, and what is their necessary tendency, looking abroad upon society with the eye of an observer? What examples of wickedness; what poverty, cheerless, friendless, companioned by ignorance, and everything that tends to transform the divine image of man into worse than brutes; for the ruthless are not intelligent. Shall they who rule, forsooth, the fathers of their country, look upon the plants sprung up amid these influences—shall they watch these influences, making them gradually, and with no less certainty, though by degrees, and almost necessarily, what they are, and yet not remove them, nor stretch out a feeble hand in the attempt? These guilty wretches deserve our commiseration. Must we punish them because they fell under the temptations and influences which ourselves could not have borne? Shall we, at ease, see them growing up amid these influences—being formed to commit every enormity among themselves, destroying and contaminating the good? How unnatural! It is of men we speak. It is men that we describe! But what is the end? for what purpose that instrument of death? The wise, the just laws have ordained it thus. How feebly then has this social compact answered its end. And how shall we extricate us from the difficulty? How shall we remove from them the bad influences? how surround them with the good?

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In examining how these evils may be removed, and what part of them, it may also appear how the government may be instrumental in effecting this. No great reform can be immediate; to root out even a few evils from society may be the work of a century. But means properly applied will, in the end, accomplish the work. And to this men must first see the evils, and feel that they can be removed, and last, by the united efforts of all, each in proportion to the means he has within his power. And first of these evils idleness is very great, and the children of the poor in cities are almost of necessity idle; they have no work at home, they are too meanly clad to attend school, and if they are engaged at all, it is in some servile occupation, that has no fellowship with aught but vice. Let schools be established for such as these; schools which shall train their intelligences, exert its power over their morals, and implant in them self-respect, teach them that the wise and good do not value man for his riches, nor his equipage, but for his real worth, and that the simple honesty of a peasant is of more value than the lordly courtesy of kings. Such schools, established under wise rules, should train its pupils to industry, and instruct them in the mechanic arts. Another evil is the absence of everything that pertains to the taste, and this is the unavoidable evil of poverty. Poverty, then, has many evils, but if its sons could be trained to industry and virtue by schools, the parent vice must in time at least in part disappear. In schools is placed the safety of every community; their influence should reach to its utmost limit, their light should pierce every hut, cave, and hamlet. No obscure individual should be beyond their influence. Each heart that beats should feel that there was prolonged the beautiful influence of a mother over its undefined yearnings and secret springs. And is it not the solemn duty of the laws to make provision for this? From these shall go forth an influence to elevate, to enlighten, to purify; these shall give self-respect to the oppressed and down-trodden, the delights of learning, the charms of poetry, the luxury of comprehending nature, to them no longer the veiled Osiris, and of communing beyond her visible forms.

Though there are many influences which the government might exert over the people, which for the reason of public opinion would be impracticable; yet learning is the great source of good influences, and to distribute this is certainly in its power; and though virtue is not the inevitable result of knowledge, yet without knowledge there can be no virtue, for how shall we follow the good unless we know in what it consists? And shall any solitary individual in the republic be deprived of this, while it is within our power to give it, and while this is necessary to virtue though itself not necessarily resulting in it? Yet in another view it is itself a virtue, for it must originate thought, and this itself is a good; it developes and expands the capacities for enjoyment, and this is a good; it makes familiar with elevated thoughts, and these elevate the whole man above the sympathies that liken him to the inferior orders of creation; it chains them in sympathy with the great and good of past ages; it links them in a kindred feeling with the living, who are in position above them; it gives them confidence in self; it points out to them the pleasures of the higher orders of enjoyment; it enlightens conscience, and this is, above all others, a safeguard against vice. Learning makes them familiar with the sure punishment of disobedience to the laws of nature; it teaches them what those laws are, and that content and happiness is the certain reward of their obedience, and discontent and misery are the inevitable consequences of going counter to them. If they are deprived of honorable birth, they may draw similitude of soul from the choice spirits who still linger in our alcoves to cheer, to delight and bless. It gives them a part in the great work of beneficence; they may help their

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race onward; society will emerge from its puny, its feeble and infant state; nature will be obeyed, and the great original design of the Creator will unfold to our eyes its veiled and glorious beauty. Wide spread intelligence and virtue shall work out even these. The poor are down, and they are too weak to rise; they cannot without your help. Remove the hindrances, encourage, help them, and they in turn will help you. We are guilty to punish them for their fruits when we allow the thorns to choke them. Let, then, government be to its people what the wise father is to his sons. Let it not only lay down rules which they are commanded to obey, but let it remove every influence which disinclines them to obedience, every temptation which draws them from it; strengthen their weakness; encourage by rewards humble acts of duty. Let rulers be tyrants no more; and among a people like ours, the axe, the block and the gallows will pass away with that tyranny, and exist only in the memory of the past, and even our prisons be almost tenantless.

If, then, in the present state of society capital punishment should be necessary, but if it is in the hands of the laws to remove that necessity, the laws are yet in fault. Let the leaders of society be philanthropists instead of severe and unsympathising judges. There is much of this spirit in the country, but legislation has as yet had too exclusively in view the suppression of crime by lopping off the head of offenders, to attend to the removing the temptations to it. But let its attention be turned to the removing of every thing that inclines men to crime, and the substituting as much as lies in their power whatever elevates above it, and legislation would never before have been employed so honorably, and crimes would never before have been so few and punishments so little needed.

And in this place again I would say, let the first step be taken in the schools. Let education be more liberal in those already established, and let others, which shall reach every nook and corner, every hamlet and pauper. I cannot speak too often or too much in the praise of learning; how it diverts the attention from vice; how its current is upward and onward to society. Next guard with watchful eyes the press. Let enlightened public sentiment spring from this, but carry out the spirit of the laws against all publications that tend to demoralize and degrade. Let rewards be offered for the best book on particular subjects, which are calculated to advance learning and morals. How can a class who are already degraded be otherwise than criminal, until such baneful influences as now exist are removed from them. I know of nothing to which these influences may be more fittingly likened, than that tree whose poison infests the atmosphere for miles around; and for crime, I know of no more fitting emblem than the fabled hydra, whose heads rose anew from the stroke of Hercules, until the burning iron of Laius seared their source. Let these noxious causes, let the origin, the source of crimes, be removed. All other attempts to prevent them are like man's futile endeavors to exhaust the great ocean of waters while the rivers still roll in their tides. The winds or the autumn frosts may for a season strip the tree of its foliage that spring may robe it with renewed verdure; but when once the parent stem is overthrown, life shall no more play amid its branches, and leaf or germ be seen never more.

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POPULAR PORTRAITS WITH PEN AND PENCIL.

HENRY MILLER SHREVE.

(CONCLUDED.)

At this day the enthusiasm with which the news was received throughout the West, cannot be duly appreciated. Dr. McMurtrie, whose "Sketches of Louisville" were published in 1819, was a witness of those occurrences, and his description of them indicates the feelings of the community by which he was surrounded. "Next to Fulton," he says, "the western country owes a vast debt of gratitude to Captain Henry M. Shreve. It is to his exertions, his examples, and let me add, to his integrity and patriotic purity of principles, that it is indebted for the present flourishing state of its navigation. * * * The offer of the Livingston Company was rejected with scorn and indignation, and the affair left to justice, whose sword, at one blow, severed the links of that chain which had enthralled the commerce of the western waters. Had Captain Shreve been weak enough to have accepted of this offer, the result is obvious. No one would have dared to embark his fortunes in vain endeavors to promote the best interests of his country, by adding the wings of commerce to the feet of agriculture, because ruin would have been the inevitable consequence; the carrying business would have remained in the hands of the company, which would have continued just as many and no more boats in the trade than were sufficient to keep up the price of freight; and, consequently, instead of paying two and a half cents per pound for every article of import, the merchant, and ultimately the consumer, (for on his shoulders such things always bear at last,) would have been compelled to pay six, seven or eight, as best suited the interests or convenience of the company." The simple fact, that suit was not brought under the patent laws of the United States, is, of itself, a tribute of praise to the ingenuity or inventive powers of Captain Shreve. The "Washington" was not built under French's patent, as was the "Enterprize," but in accordance with Captain Shreve's own inventions. The nature of the controversy demonstrates that the originality of his improvements was universally conceded at that time. The immediate effect of the contest was, to give to the "Washington" preference over all other steamers in the trade, as well as the abandonment of all further efforts to use Fulton's engine on the Mississippi. Indeed, the debt due from the west to Fulton's memory, although vast and gratefully acknowledged, arises from the direction he gave to the genius of others, and not from the usefulness or intrinsic value of his engine. The experience of four years' demonstrated that neither Fulton's patent, nor that of French, could ever be made of practical benefit to western commerce.

In 1818, Captain Shreve had matured in his own mind still further improvements; and, consequently, he built the steamboat "Ohio," of 450 tons burthen, adding the other inventions his genius suggested. The principal change was in using double flues, and in supplying the boilers through the "aft stands," thereby saving fuel and preventing those

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"stands" from being burnt out every few months. After *running* the "Ohio" about four years, and the "United States" about one year, he undertook another series of improvements, not merely on the engine but on the model of the boats. The steamers then in use were generally constructed like sea-vessels, and drew too much water for river navigation. Besides, they could not accommodate the crowds of passengers, arising from the increased business of the Mississippi Valley, and rapid immigration westward, without ceasing to carry freight. In 1824 he finished his new steamboat, named "George Washington," constructed on the model now in common use—the first built with the upper cabin, or hurricane deck. Some of his partners objected to the plan, on the ground that the boat would be "top-heavy," and refused their consent to the experiment, until he proved to them, by mathematical calculations, that the weight of the upper deck and cabin, when filled with passengers, would be less than that of the deck loads carried in the common "two-deckers" previously in use. He had introduced, some years before, the double engine which was generally connected with a stern wheel. Preference had been given to the stern wheel, because the boat was more easily managed than with side wheels attached to, and moved by a single crank. The numerous dangers in those rivers, rendered it necessary that the boats should be completely under the control of the pilot, and more than the rudder was required for that purpose. Captain Shreve, therefore, constructed the "George Washington" with side wheels, each of which was to be worked by a separate engine, thus enabling the pilot and engineer to make sudden turns in the river, or to manage the largest steamers as easily as a skiff with oars. This suggestion was the occasion of general ridicule, and his associates gave a very reluctant consent to its being tested. Indeed, to one not familiar with steam navigation, many objections to such a plan would readily occur. The "George Washington," however, soon became the model for all western steamboats, and the prediction of Captain Shreve was verified. We do not mean that no improvements have since been made on the engine or boats, but simply that those now in universal use in the Mississippi Valley, contain all of the various inventions of Captain Shreve, as well as those made since. It is possible that, simultaneously with many of his improvements, other persons were, in different parts of the United States or in Europe, working out the same results; but if so, it was in this case as in that of Newton and Leibnitz; none the less praise is due to his genius. His numerous inventions were the suggestions of his own genius, enlightened by daily and practical experience in steam navigation, and unaided by the valuable hints which scientific friends gave to his compeers.

The difficulties in the path of western commerce were still formidable; for the innumerable snags, sawyers, sunken roots, &c., which filled the channels of the Mississippi and its tributaries, caused the most serious disasters, and greatly protracted the voyages from city to city. At that period, however, the attention of Congress began to be turned to the subject, principally through the exertions of western members and of the Hon. John C. Calhoun, then Secretary of War. Knowing the many obstacles to military success during the operations of Gen. Jackson in the southwest, and of Gen. Harrison in the northwest, throughout the war of 1812–'15, for lack of suitable means of transporting supplies to distant points, Mr. Calhoun deemed it of vast moment that all constitutional means should be used to render the western rivers available for military purposes. He had seen a new element of power successfully intro-

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duced into the ordinary routine of river trade, and his comprehensive and sagacious intellect could not overlook its importance. Instead of a delay of three months in forwarding supplies from Pittsburg for the defence o New-Orleans, steam could effect the object in ten or twelve days, if all obstructions were removed from the river channels. Determining in his own mind the limits of constitutional power over the subject, he bent his energies to the legitimate improvement, by the Federal Government, of the national highways of "commerce among the several states." Repeated acts of Congress from the formation of the Federal Constitution, had declared that the Ohio and Mississippi were under Federal jurisdiction—that the latter river was the "mare nostrum" of the republic, open equally to all of its citizens. In 1824, Congress appropriated $75,000 for their improvement, and the duty of expending that sum judiciously, was devolved on the Secretary of War. Judging correctly that the experience of western navigators was worth more than all studied theories from men unacquainted practically with the obstacles to be overcome, he promptly caused the following circular to be issued to the steamboat captains of the west:

"ENGINEER DEPARTMENT,
WASHINGTON, June 1, 1824.

"SIR:—The Act of Congress of the 24th of May, 1824, having made an appropriation for the improvement of the Mississippi, by removing all trees which may be fixed in the bed of the river, commonly called *planters*, *sawyers*, or *snags*, the Secretary of War is desirous of availing himself of your skill and experience in the navigation of the river, and requests that you will present such suggestions as may occur to you, as to the best means of carrying into effect the intentions of Congress. He particularly desires your opinion, whether the river could be freed, advantageously, by dragging the trees or snags from their bed, and what would be the best mode and time of doing so; or whether it would be practicable to saw them off at a depth so low as not to endanger the navigation of the river at the lowest water; and what would be the best mode and season of the year for effecting the same; what would be the effect of passing heavy rafts of timber down the river; and what would be the best form or mode of constructing the rafts for the purpose of removing the impediments to the navigation. Any suggestions on these or any other points, having relation to the subject, and accompanied by estimates of the probable cost, will be acceptably received by this department; the communications to be addressed to the Secretary of War, and endorsed 'Engineer Service.'

"ALEXANDER MACOMB,
Maj. Gen., Chief Engineer."

The replies to that circular embodied a large amount of useful information and many valuable suggestions. And surely no class of men were more likely to be observant of the evils to be remedied, nor to reflect with much greater care upon the general subject itself, than those who were daily risking their lives and property on those waters. The magic effect of steam and rapidly increasing population of the west, were advancing commerce with unexpected strides, and giving more importance to the dangers with which it was threatened. The wildest imagination had not predicted the rising greatness of the Mississippi Valley, nor foretold its rapid advance in numbers, wealth and refinement—state springing up after state, "a mighty train." But it was not to the private trade alone of that vast region, that the statesmen of 1824 directed their attention; for they foresaw that, in the event of an Indian or other war, its triumphant conclusion might depend on the celerity and certainty with which men and means could be despatched to the frontier. The rivers

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of the west furnished channels of intercommunication, and for military operations, not less than 15,000 miles in extent. From the western districts of Pennsylvania and Virginia to the farthest verge of American civilization, the new states could precipitate, whenever needed, along those rivers, with the rapidity of steam, hundreds of thousands of gallant and hardy volunteers, and supplies for ten times that force, to any point from the Atlantic to the remote wilderness, or from the lakes to the gulf. Hence, the removal of all dangerous obstructions from those great military and commercial highways was an important element of national strength and security. This has been seen and felt since the commencement of the Mexican war. When the exciting news of Arista's advance upon General Taylor was borne by hundreds of steamers, to every part of the broad west, thousands of the patriotic and brave hurried down those highways to beat back the foe. In about one month after the battle of Palo Alto, a western city, nearly two thousand miles from the scene of conflict, reported at the Brazos a volunteer regiment of her citizens, well disciplined and ready for action. A single snag might have proved fatal to that gallant band, and interrupted a whole campaign.

In 1824, the Mississippi was strewed with snags and sawyers. For untold centuries its fierce current had been uprooting from its alluvial banks and bottom lands, trees of giant growth, and sweeping them onward towards the gulf, until striking a bar, or caught in a bend, they were stayed in their course, forming for more than twelve hundred miles a leafless forest, whose strong and pointed branches, just peering above the muddy waters, threatened instant destruction even to the most skilful navigator, and defied human genius to track a tortuous course in safety through such a pathless waste. If now, after the worst dangers have been removed, a single snag can strike down at a blow a steamer of one thousand tons burthen, and instantly overwhelm her rich freight of men and merchandize in hopeless destruction, what must have been the perils in the navigator's path, before one of those dread obstacles had been disturbed in its bed?

From the archives of the War Department it may be seen, that on the 5th of July, 1824, Captain Shreve wrote an interesting reply to the circular of May preceding, and made many important suggestions to the government. In that letter he stated, without hesitation, that "the river may be entirely freed from such obstructions," and mentioned several modes of effecting the object. He offered to submit to the inspection of the department, if desired, the model of a machine invented by him for that purpose in 1821; but no request therefore was made. The Secretary of War advertised that a premium of one thousand dollars would be awarded for the best plan of removing snags, sawyers, &c. Captain Shreve declined competing for that premium, as he placed a higher estimate on the value of his invention. The award was made in favor of Mr. John Bruce, of Kentucky, and a contract concluded with him, by which he agreed, for sixty-five thousand dollars, to remove all of those obstructions from the channel of the Ohio river for its entire length, and of the Mississippi from the mouth of the Missouri to the Balize. Immediately he commenced building one of his premium machines at Pittsburg; but as he soon perceived that it could never be made to work successfully, he abandoned it before completion, determined to rely on simpler means. He began operations, under the superintendence of Major Babcock, of the Military Engineers, using ordinary flat boats, levers, chains and saws, worked by manual labor. After nearly two years had elapsed, he had removed only a portion of the logs and roots in the channel of the Ohio,

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and had failed to master a single snag in the Mississippi. As the appropriation was nearly exhausted, and but little benefit had been derived therefrom, the West complained so loudly, that Major Babcock was superseded and Judge Samuel McKee, of Kentucky, appointed his successor. The new superintendent died in a few months after his appointment. Whilst Mr. Barbour, then Secretary of War, was hesitating whom to select for so difficult a post, he applied to Mr. Calhoun, his predecessor, for the necessary information. The latter remembering the valuable suggestions originally made by Captain Shreve, with whom he had no personal acquaintance, and perceiving that they had stood the test of subsequent experience, recommended that his services be secured, if practicable. Accordingly, the commission of Superintendent was forwarded to Captain Shreve, on the 10th of December, 1826, and accepted by him on the 2d of January following. Pursuant to instructions, he examined the whole subject, and reported that it was impracticable for Mr. Bruce to comply with his contract; that the apparatus then in use was not suitable to the enterprise, and that a new plan must be adopted. He was then ordered to commence operations at government expense, on the most economical plan, and by the employment of such men and means as the nearly exhausted appropriation would permit. During that season, he used a twin-boat, with wheel and windlass worked by manual labor. The additional experience thus gained convinced him more fully that a mightier power than human strength applied to simple machines, was necessary to overcome the formidable obstacles encountered; and he, therefore, urged the building of a steam vessel on the model invented by himself, assuring the department of its efficiency and necessity. The commerce of the West was then valued at nearly $50,000,000, and the losses by snags for the five previous years amounted to $1,045,000. The young West, with all its giant energies, could hardly bear up under so heavy a burthen on its enterprise. Just emerging from a wilderness state and preparing for an active career, it beheld with dismay its growing commerce strewed with the wrecks of many a hard-earned fortune; boat after boat, with valuable cargoes and brave crews, going down forever beneath the muddy waters. To most minds, the attempt to remedy that increasing evil, seemed entirely hopeless. Human ingenuity, it was thought, had been completely exhausted in its efforts to form some combination of mechanical powers by which those huge snags could be torn from their beds and safety given to navigation. As the currents changed, old sand bars were swept away and others formed. The river, diverted into ever-shifting channels, caused new snags to rise from its alluvial bed as the sand was washed off; and the practised pilot, who, on descending, had passed over an unruffled surface at some well-known point, was often, on his return, startled from his fancied security by a sudden crash, which instantly proved fatal to his hopes. The turbid waters concealed all objects below the surface; the vast quantity of sand borne along rendered an accident irremediable; those who fell into the stream were never again seen; and the boat which went down, was soon so deeply imbedded, (the nucleus of a new bar,) that no power could extricate her. Although the snags now in those rivers are truly formidable, and annually prove destructive to property valued at millions of dollars, there are but few to be seen, equalling in size those common to every bend in 1827. Many of them measured from three to six feet in diameter, and were imbedded in the channels to the depth of ten or fourteen feet. They were in every bend, along every island *chute*, skirting the entire shore, and peering through every bar. Hence, it is not strange that the ori-

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ginal proposition of Capt. Shreve, to overcome so stupendous an evil, was received with doubts and misgivings. Met by incredulity on all sides, he tested his invention on a small scale, at his private expense, and thus *knew* that he was urging no absurd experiment. His letters show the confidence of true genius—full of hope and enthusiasm. He promised repeatedly that, if authorized to incur the expense, he would build a machine-boat, to be worked by steam, that would break off the snags, however large, below the alluvial deposit in the bed of the channels, or uproot them for the entire length of the Mississippi. When, after great importunity, he obtained the desired authority, it was so restricted with conditions, suggestions and fears, that a failure of his plans would have devolved the whole responsibility of the experiment and its expense on himself. But opposition came not from Washington alone; many western boatmen believed the plan absurd—denied that a steam-vessel could tear up or break off the snags without being dashed to pieces or sunk in the attempt—and therefore, remonstrated against the experiment. One of those remonstrances, now on file in the War Department, uses the following strong language: "It is said the present Superintendent (Capt. Shreve) has it in contemplation to construct a large and powerful steamboat, for the purpose of cutting out the snags, and pulling them out by the force of steam. Now, those projects are only calculated to get through the appropriation, without anything like the object contemplated. *All machinery, whatever, whether used by lever or steam power*, is considered by persons who are well-acquainted with the Mississippi river navigation, as *a useless expenditure of time and money.*" This was the voice of despair. Fortunately, however, there were some western boatmen of more faith: and who, having witnessed the triumphs of many of his inventions, believed, with Gen. Jackson, that "he was a man who would do whatever he undertook." They petitioned to have his request granted. The consent of the Department was dated June 27th, 1828, and the first snag-boat, the Heliopolis, was ready for operations by the 22d of July, 1829. This machine-boat has twin hulls, about eleven feet apart, firmly connected together "abaft midships," and so constructed that a blow on the snag-beam bears equally on every part and timber of the vessel. The snag-beam connects the twin-hulls at their bows—is placed at the water-line, wedge-shaped, and in the exact centre of percussion, so that a blow with it produces no *jar* whatever, and consequently does not, as was predicted, disturb in the least any of the machinery connected with the boilers or engines. In addition to that simple contrivance, there is an ingenious combination of the pulley, windlass, wheel and axle, levers, &c., for elevating loose snags, sunken logs and roots, masses of rocks, and similar impediments. When in operation, the machine-boat moves "under a full head of steam," striking the snag with the whole momentum of the moving mass, a sudden blow, equal in violence to three or four thousand tons. If the snag be firmly imbedded, it is instantly broken at the point of *leverage*—generally a distance below the bed of the river equal to the diameter of the snag. But if it be too loose to offer the necessary resistance, the boat passes on, turning it over, and at the same time *trimming* off all of the limbs on the under side. A return passage of the boat *trims* the other side of the snag, and forces a chain beneath it; and in about five minutes it is lodged on deck and sawed into small pieces. The boat and all the snag-machinery are worked by the same steam engines.

On the 19th of August, 1829, the Heliopolis entered the Mississippi,

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and commenced operations at Plum Point—the spot where the snags formed an almost impassable barrier. With great doubt resting on the minds of all, save the inventor, she dashed into that river-forest, breaking by single blows snag after snag, or uprooting them in rapid succession. In a few hours, every doubt was dispelled—the triumph was complete. Human genius had devised a mode of wrestling successfully with the most formidable difficulties, and of breaking through the last and greatest barriers to western commerce. So perfect was that machine, in all its parts, that to this day, not the slightest improvement or alteration has been made on it. It has saved to the Federal Government and to individuals, untold millions of dollars, and given an impetus to commerce which no mind can estimate. Official reports to Congress, state that it has reduced the voyage from New-Orleans to Louisville more than one-half; saved a countless number of lives, and property to an incalculable amount; effected a salutary change which, without its agency, ages might not have accomplished; and proved indispensable to the government in the discharge of its duties to itself and the valley of the Mississippi. Extravagant as such statements may appear, they still fall below sober reality. At this time, there are 1190 steamers, with an aggregate tonnage of 10,252,160 tons afloat on the western waters, which, with the other river craft, bear annually to and from market cargoes estimated at $432,651,240 in value. Without the snag-boat, that vast amount of property would have been endangered at every point along those great rivers; nearly ten millions of people have been compelled to struggle against all the evils incident to difficult transportation and intercourse; many of the operations of the government, both in war and peace, greatly retarded and exposed to ever-recurring hazards; the prosperity of half the Union checked in its rapid progress, and the national imports and exports lessened, with a corresponding diminution of government revenues and available resources.

One instance will suffice for illustration—the removal of the Red River Raft. The government engineers, after minute surveys, reported it to be nearly impracticable to remove that formidable barrier to navigation, and that the lowest estimate could not be less than two or three millions of dollars. They advised, therefore, that the work should be abandoned. Gen. Cass, then at the head of the War Department, properly appreciating the importance of the enterprise, and unwilling that it should be suddenly stopped without, at least, one serious effort, consulted Captain Shreve on the subject. The answers of the latter were satisfactory, and he was ordered to undertake the more than Herculean task. The resul is thus stated in official reports to Congress:

"The great raft of the Red River, consisting of an accumulation of trees, logs and drift-wood of every description, *firmly imbedded in its channel for more than one hundred and sixty miles, was removed*, and the navigation of that river opened, inclusive of the raft, *a distance of nearly twelve hundred miles*. This work alone, in consequence of the immense quantity of public land reclaimed in the raft region, and rendered fit for cultivation; the enhanced value of other lands on the upper part of the river, and the reduced cost in the transportation of supplies to Fort Towson and to the Indians located in that neighborhood, has been worth millions to the government." * * * * * "That steam constitutes the only water communication with a considerable portion of the north-western part of the states of Louisiana, Arkansas, the north-eastern frontier of Mexico, [Texas,] and the south-western territory of Missouri, to which the government is now removing [1836] the Aborigines of the country. It may be made navigable with large keel-boats and barges, nearly to the Rocky Mountains [Sierra Madre.] In the region

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through which it flows, military posts will have to be maintained for ages, to keep the Indians in check, and to insure harmony among them, as well as to preserve a good understanding with Mexico. In the transportation of supplies and munitions of war to Fort Towson, the government has encountered difficulties almost insurmountable, and at one time, the troops at that post were left destitute of their regular provisions and clothing during a whole season, owing to the impossibility of passing the raft," &c.

And this is only one instance, affecting a comparatively inconsiderable stream, by which, as is officially stated, eighty-five thousand dollars were saved to the government in one season, by the reduced cost of transportation. That raft has since re-formed for a few miles, as Captain Shreve predicted would be the case, unless a snag-boat should be kept operating there. Yet how vast that single undertaking, and how successful! The whole cost, instead of being two or three millions, was about three hundred thousand dollars. It has also been officially reported, that through the use of snag-boats, so long as they were kept in operation, an accident from collision with snags rarely occurred. From causes already mentioned, they are indispensable to the safe navigation of western rivers. During the last two years, since they have been laid up for lack of suitable appropriations, the city of St. Louis alone, has lost on those rivers property valued at more than one million, and the government several hundred thousand dollars.

The success of the snag-machine suggested to their inventor the construction of a marine battering-ram for harbor defence. At the request of Gen. Jackson, he filed in the Navy Department an accurate description of this proposed military engine; but he was prevented by other pressing duties from so far complying with the old hero's wishes as to construct one for positive experiment. To those familiar with the subject, there can be no doubt that such a machine would answer the object in view. In twenty minutes it could sink the largest ship in the British navy, and be ready to operate against a second. As designed by the inventor, the machinery and propelling power would not be exposed to the enemy's guns, nor could a point blank shot strike her. The descriptive letters were filed in 1829; and letters patent since obtained for such a machine by a distinguished naval officer, indicate that another person has freely used the hints and plans he gave.

Although an original, zealous and unwavering supporter of General Jackson for the Presidency, from the time when he was first named in connexion with that office, Captain Shreve received his first appointment as Superintendent of Western River Improvements from John Q. Adams. He was continued in the same office to 1841, enjoying the unbounded confidence of Presidents Jackson and Van Buren. To the surprise of the people of the west, he was among the earliest victims of the political revolution of 1840. He was officially informed, by a letter, dated at Washington, September 11th, 1841, that he had been removed, and was instructed to transfer the public property under his charge to his successor. The same letter, which is among the strangest documents of that strange period, closes with the following remarks:

"In concluding this communication, which finally dissolves your connexion with the Government as an Agent of this Department, I take the occasion to say, that the zeal you have manifested for the public interests, the ability you have displayed in conducting your operations, and the faithful manner in which, for a series of years, you have executed the various and important trusts committed to your charge, entitle your conduct, (so far as is known to this Department,) not only to an avowal of satisfaction, but also to an expression of high approbation."

Surely, such a testimonial, voluntarily tendered by his political execu-

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tioners, at the moment of his decapitation, is no slight evidence of his eminent abilities and services.

Since that time, he has resided on his plantation, near St. Louis, devoting his attention to improvements in agriculture, with the same zeal and liberality always manifested by him for western commerce. Thus, after the lapse of thirty-four years literally spent on the waters, he returned to the quiet pursuits in which his early youth was employed, enjoying the pleasures of uninterrupted social happiness, and commanding the esteem and affection of a wide circle of friends. He commenced his career as a democrat, and still cherishes with deep enthusiasm the liberal faith of his party, ever ready to aid the cause with commendable zeal and frankness; occasionally regretting, however, that he, too, cannot once more attest the sincerity of his patriotism, by mingling in the stirring scenes of the battle-field, as on the 8th of January, 1815, under the hero of New-Orleans.

This meagre sketch of his eventful career indicates clearly his moral and intellectual character. No man of mere ordinary powers of observation or inventive genius, unsustained by more than common faith in man's high destiny, or by an unusual degree of moral heroism, would have persevered, despite the ridicule and incredulity of contemporaries, in adding to the steam engine improvement after improvement, and in making new applications of its mighty energies to useful purposes. In the broadest and best sense of the term has his career been eminently democratic—devoted to the successful mitigation of the severity of human toil, and the development of the natural resources of his country. He has contributed more than often falls to the lot of one man, to the progress and blessings of his age, and to the rapid growth of new states in the far-off west.

The most beneficial results of a high order of genius, it has been often remarked, seldom enure to the possessor's immediate advantage. As in an innumerable number of other instances, so in this, the world has prospered through the agency of one who has been strangely neglected, and almost unknown to fame. Notwithstanding no mind can compute the true value of his many inventions, he never applied, except in one instance, for letters patent to secure to himself the deserved fruits of his genius. He succeeded in effecting even what Fulton failed to accomplish; and if he had turned his inventive powers to his private purposes, could have amassed enormous wealth. But, when proffered boundless treasures by the Livingston and Fulton Company, he spurned the tempting bribe, as its acceptance involved a sacrifice of public interests for his personal benefit. If it be true, that the unknown inventor of the plough is more worthy of immortal honor than the proudest of conquerors, what measure of public gratitude is due him who, by his gifted intellect and untiring perseverance, has opened the arteries of a continent, and sent through them the life-blood of commerce, to quicken the whole system, throughout its vast and varied extent, into vigorous and healthful action?

The pioneers in every cause, social or moral, physical or intellectual—the men who make the first essays for truth and right, for human elevation and progress, too often fall martyrs to the very zeal and daring without which success could not be won. It is not given to all to see far into the future—to prepare the way for coming events, or even to devise suitable remedies for existing evils. The gifted few encounter at every step the ridicule and prejudice of the short-sighted, and resistance from the timid and despairing. Hence, success in any enterprise, looking to untried reforms, whether in politics or the ordinary pursuits of human industry, depends, not alone on the sagacity of the reformer, but also on his unfaltering self-reliance, which no impediments can shake nor opposition overcome.

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Such were the men who opened the western wilderness to civilization, and its rivers to profitable commerce—men cast in too stern a mould to be broken in the first rude shock. The few who yet linger on the stage of action, look back with joyful hearts along the dangerous paths they have trodden, and forward, with a sublime faith to the coming destiny of the republic. If the statesmen who have urged forward this confederacy in its career of prosperity and ever-expanding power, whilst surrounded by men of little faith, deserve the meed of a nation's grateful remembrance, the hand of neglect should not be laid coldly upon the benefactors of humble toil, who, in a less prominent, but not less useful sphere, have, perseveringly, and with generous self-sacrifice, removed, one after another, many of the most grievous burthens, which for ages weighed down the struggling and comfortless sons of labor, in their unremitted efforts for a scanty subsistence. Those who have summoned the elements to minister to the varied wants of our race—who have substituted the useful metals and expansive force of steam for human muscles, and their unrelaxed energies—who have fashioned out of iron and copper, feet and hands to spin and weave, dive and swim, draw and run, for the humblest of our kind—who have harnessed to our cars horses of iron and fire, and put wheels to our ships, so that mountain and valley, wind and tide, might no longer resist them in their course—who have made the subtlest of fluids convey, with lightning-speed, our thoughts and wishes to remote friends and kindred—who, in brief, have subjected nature to the dominion of man, and made him "master of its laws, and lord of its hidden energies," elevating him to a loftier sphere, in which his intelligence alone governs his wants, and supplies their ceaseless demands,—those men are general benefactors in this working-day world, playing no unimportant part in *democratizing* the age, and hastening the era of equality and freedom.

It is not strange, then, that complaints are heard when the fruits of their labors are filched from them—when they are turned empty away from that public table which their exertions have loaded with the choicest blessings. Among the many who have thus suffered, is the subject of this notice. For nearly twenty years government has used his private property without remuneration. At nine different times and in various forms, his claim has been acknowledged and encouraging promises made. Still he refrains from enforcing his rights, at the injury of that commerce with which his name is intimately identified—preferring to wait for even tardy justice at the hands of the government he so long and faithfully served. The plea of necessity—that as his genius alone has devised a remedy for evils of many centuries' growth, so the government could not avoid the use thereof—would be valid, if coupled with a faithful observance of the constitutional obligation: "nor shall private property be taken for public use without just compensation." It matters not in what form that private property exists—whether in houses or lands, copyrights or patents, ships or merchandise; a government founded to secure to each of its citizens the full enjoyment of his legitimate rights, should never trample them and the laws of its existence into the dust. A republic which wrongs its own children cannot escape reproach. Its great duty is to dispense justice freely, and without delay, to all—to provide suitable means of adjusting all proper demands upon itself, so that its example may never encourage individuals in wrong-doing.

This brief sketch illustrates the rapid progress of American art and power. Born near the Atlantic shore about the close of the American revolution; borne over the Alleghanies on the advancing wave of western civilization; nurtured in the wilderness where his young slumbers were oft disturbed by the wild war-whoop of a savage and remorseless foe, his has been the good

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fortune to see a few become a mighty people; the frontiers of the republic receding westward from the Mississippi to the Pacific; the arts spreading their triumphs towards the setting sun, and state after state springing into existence to join the sisterhood of freedom, and to know too that his hand has not been "unseen in all the wondrous changes wrought." Where for many weary months he once toiled with rude "setting poles" and "cordelles" to force his small barge up the great river of floods, he has lived to direct floating palaces, with fire and steam, over the same perilous track; and a few weeks ago, at the opening of the telegraph in St. Louis, his was the first message borne by lightning from the banks of the Mississippi to the President of the United States on the tide-waters of the Atlantic. Thus has lightning, after the lapse of only one generation, joined steam in annihilating time and distance, ministering to the wants of commerce, and binding more closely together the expanding frontiers of our Union. The first rude settlements of a remote wilderness have been changed within the memory of many still living, into splendid cities; the wigwam and log-cabin given way to magnificent dwellings and warehouses, factories and temples, observatories and universities—all the pride and glory of education and refinement. The scattered and unprotected few who sought in vain for purchasers of their surplus productions, have swelled to millions, busy in sending the fruits of a teeming soil to remote corners of the earth, and in feeding by their bounty the starving population of a distant land. Having reached the Pacific in its ever onward mission, our republic is now stretching southward towards the Isthmus—

"And the arts still followed where her eagles flew."

THE ADVENTURES OF CHRISTOPHER COLUMBUS;

A SEQUEL TO BOABDIL'S DEPARTURE TO NEW GRANADA.

CANTO SECOND.

It dawned, that hoped-for morn, and gave
To meet their ravished view—
A lovely, verdant island, set
Within the ocean blue.

Its trees umbrageous, spread to woods—
And from those woods, were seen
Forth issuing many a being strange,
Who cast them glances keen.

Expectant, then, and full of joy
The anchors cast—boats manned—
Across the clear and limpid wave,
They rowed them tow'rd that land.

The noble Admiral stepped on shore,
In scarlet clad was he—
And what should, furled, within his hand,
But the Royal Standard, be.

The Pinzons, next, they onward pressed,
To touch that welcome strand—
The Expedition's Banner each
(Unfurled)—bore in his hand.

The initials of the king and queen
Of Spain it showed, well seen
Their F. and Y., inwrought of gold,
With the blessed Cross between:—

That emblem, blazoned there in green—
(With two gold crowns above)
Shone out, to call the heretics
Within its pale of love.

They landed down at last, in all
A hundred men and more;
Some gaily-clothed in radiant robes—
Some clad with bright steel o'er.

Columbus, as the shore he touched,
Upon it lowly bowed:—
With tears of joy saluting it,
To God he prayed aloud:

When rising gravely, high in air
His standard he unfurled—
Possession taking—all for Spain—
Of the new and lovely world.

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St. Salvador this isle he called—
  Its natives, Indians named—
As the Orient realm's extremity
  He thought it—long then famed.

Now, sword undrawn, on all he called
  To take the allegiance oath,
That hailed him Viceroy—Admiral
  O'er land—o'er ocean—both.

So willed their sovereigns—soon 'twas made—
  Then some they kissed his hands—
And some—all abject—crouching low,
  They knelt them on the sands.

The natives, when at dawn they spied
  (Just waking from their sleep)
The noble ships—thought, during night
  They'd issued from the deep—

Those monsters rare—with wings so white;
  Or some, that they had come
From out the crystal firmament,
  Their bright ethereal home.

Now timidly, with looks of awe,
  They approached—and crowding round,
In admiration gazed, and gazed—
  In wonder most profound.

In turn, the Spaniards curious eyed
  Those gentle natives, there—
With diamond eyes, and glitt'ring smiles,
  And dark, luxuriant hair:

Who culled them fruits of luscious taste,
  Or fairy barks who plied,
Adown the shining, azure streams:—
  Did these the pearl-rock hide?

His *fairest* visions realized,
  Columbus there did stand—
Afar from Spain—in his new-found world,
  As *sovereign* o'er its land.

Kind and well-shaped its natives were—
  Of copper-colored hue;
All painted o'er with colors bright—
  They artless seemed—and true.

Gay, gaudy caps, and beads, and bells—
  Rich presents Colon gave;
Oh! how inestimable these
  To Indian belle and brave.

Among sweet groves the Spaniards roved,
  Till sank the golden sun—
Then seeking ships, they dreamed be sure
  A fairy life begun.

By dawn, there came the natives wild,
  All in their tree canoes—
E'en fifty men, some held in truth—
  Such barks they aye did use.

Cupidity in Spaniards waked—
  For the Indians, some they wore
Small ornaments of gleaming gold—
  Whence came that glittering store?

They pointed south where dwelt a king,
  (So Spaniards thought they said)
Who o'er a wealthy island reigned—
  From golden platters fed.

The famed Cipango sure is there!
  Columbus thought the while:—
From Guanahani—as they called
  This first Bahama isle.

Now lured he some red-men to part,
  And in his ships to dwell—
The Spanish tongue they then must gain,
  And soon interpret well.

He sailed—and spied some pretty isles
  Where all things lovely grew—
He coasted on—but 'mongst them all,
  Nor gold, nor spice did view.

And on he sailed—and on he sailed—
  What dawned upon his sight,
But noble Cuba's mountains high—
  Its dales and rivers bright!

And now, with grief and shame I write,
  That Martin Pinzon here—
That mariner of goodly fame—
  Deserted comrades dear.

'Twas in a storm—but let it pass—
  As round th' east cape they veered
Of Cuba's isle—lo! from afar
  Other mountains there appeared;

Southeast—above th' horizon clear—
  To the point they bore away—
Soon through the ethereal atmosphere
  Revealed—fair Hayti lay.

From forests grand, its mountains rose—
  To savannahs green—they fell—
That vegetation tropical
  Too beauteous 'twas to tell.

At the sight—(as through that deep blue sky
  Its curling smoke on swept)—
Of the loveliest isle of all the world—
  Each Spaniard's heart up-leaped.

There sweetly sang melodious birds!
  Whilst laughing streams did run—
And brilliant flocks of paroquets,
  Almost obscured the sun.

Transparent seemed that crystal sea—
  The trees along its shore,
Bore grateful fruits to tempt the hand
  To cull of them a store.

But now, I may but slightly tell
  Of its bland and gentle gales—
Its fragrant flowers—new animals—
  Its fish with radiant scales:

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Of all the sweets that strewed their path,
  Through fresh and genial lands—
Of entertainments in its groves,
  At powerful Caciques' hands:

That airy domes, from palm-trees framed,
  Pavilion-shaped, stood there—
'Neath shade of th' over-locking trees—
  As tents in summer's air:

And how their gentle inmates sank,
  When burst the cannon's sound,
In terror, at that startling shock,
  All prostrate on the ground:

And of the shipwreck which befell
  The Spaniards' ship—late sound—
And how a fortress soon they reared,
  On Hispaniola's ground:

Then how with tears, their brethren there
  They left, in that sweet world,
With promises of swift return:—
  And how with sails unfurled,

They steered away for Spain—afar—
  And found the Pinta, too—
With Martin Alonzo, all so hale—
  Who had his tale—if true:

And how a fearful storm arose,
  Of lightning, wind and rain—
And how that Pinta soon they lost
  Again upon the main.

Cast on the coast of Portugal
  I'll say, by adverse wind,
Its king in state, did Colon place,
  With due attentions kind:

That on he steered, and soon he veered
  Within old Palos' port—
Where all their friends, from every point,
  Full quickly did resort:

And how to good St. George's church,
  Procession soon there strayed—
How bells were rung—and business closed—
  And all right merry made:

And you must think, in convent dark
  Of Rabida's old pile,
How Friar Juan Perez, good,
  Illumed it with his smile.

To Barcelona, then, we'll speed
  Columbus on his road;—
The air with acclamations rang,
  As gravely on he strode.

And long before he'd reached the place,
  A crowd of courtiers proud,
Of youthful cavaliers—and all—
  Before him lowly bowed.

And oh! how streamed the populace,
  To see the wonders there;—
A Roman triumph had it seemed,
  But for its solemn air.

All entered Barcelona's town—
  The Indians, first they sent
With collars of the purest gold—
  Their bracelets—and their paint:

Them followed birds of gorgeous hues—
  The living things were first,
Then creatures stuffed of every kind,
  With plants, and flow'rs well-nurst.

And last of all—Columbus passed
  Majestically slow!
A shining, sable steed he strode;—
  Oh! grandly did he go!—

He passed those streets so crowded then,
  High Grandees thronging round—
Behind—a brilliant cavalcade—;
  All—*late*—his worth had found.

As on it passed—and on it passed—
  Oh! how sublime that show
Of creatures of a new-found world,
  That strangely there did go!!

And some that gazed made loud applause—
  And some they knelt them down—
And some their sweet, fair cheeks they wet—
  And some their manly brown.

The train now reached where king and queen
  Sat openly in air
Upon their thrones—with Prince Juan—
  Their dear and comely heir.

'Twas thrilling expectation all
  As Colon lighted down—
The famed—the honored—'midst acclaim
  In Barcelona's town.

As o'er his face of thought sublime,
  A glorious smile there broke—
Before Hispania's King and Queen
  He knelt—but *naught* he spoke!

They, raising, seated him in state
  Beside them—and required
Narration full, of wonders seen—
  That tale so much desired.

He eloquently descant made,
  How well he'd served their crown,
Their dewy eyes the while confessed;—
  Then sank the crowned pair down—

And raised their hands to Heav'n, in thanks
  For that sublime event;
In unison all present joined—
  Vast was the gift thus sent!

Now rolled the grand Te Deum forth,
  And rose to God on high—
Those beings strange, from new found world,
  In wonder standing by.

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And great Columbus—there knelt *he*,
Th' observed of all the world,
For *God* our Navigator sped,
When he his sails unfurled.

No flimsy soul had he, to quail
At king's or courtier's frown—
That *greatness* of the MIND was his,
Which *rank* can ne'er hold down!

So *firmness*—all invincible—
So *perseverance*—bore
That lowly man—of birth obscure—
To a goal unreached before!

Of Martin Alonzo Pinzon's fate
One moment will I speak—
A man of honor and renown,
But—that in moment weak,

Self-interest sorely tempting him,
And habits of command,
He strayed away from comrades dear,
And played his own high hand.

That storm so great his bark had braved—
He steered him into Bayonne—
Thence, missive to the sov'reigns sent,
First to them making known,

The great discovery—leave he claimed
To visit soon the Court:—
Then, setting sail he veered away,
To gain old Palos' port.

Columbus burst that self-same day,
As *star*—from off the deep—
So Martin Alonzo skulked away
In shame his home to keep.

There sovereigns' answer soon arrived,
Excluding him from Court—
I grieve to say an anguished mind,
Cut his career full short.

Now let us weep, that step so false
His fame away should rend—
For of Columbus and his scheme,
He was an early friend.

Staunch barks, you know, he loaned the cause—
Besides a store of gold—
From nature he'd a generous soul—
And—thus—his fate is told.

And now another armament
Was whitening Cadiz' bay—
Oh! how unlike the *first* that sailed
From Palos' port away.

Of second fleet, the numerous barks
Held Grandees—Cavaliers—
And men of wealth,—and fervent souls—
Enthusiasts,—void of fears.

The Pope's high vicar graced the cause,
And twelve meek priests—his suite—
To lure the souls of heretics
To lowly Jesus' feet,

Was their vocation shown;—in truth,
In troubles to embroil
That colony—Columbus too—
Oh! envious Friar Boyle!

Some mused of vales—as Tempe's—fair—
And some of yellow gold—
And some of stirring hair-breadth 'scapes,
And fights with Caciques bold.

Their high and noble friends, they lined
The shore, and cheered each heart—
Hope's anchor bright, it sure was weighed,
When came those ships to part.

Away!—away!—sailed they—away!
O'er, o'er the sunny sea!—
How merry those expectant souls,
That sailed thus gallantly!

On leaving the Canaries, then,
South-west they slightly steered,
And thus the dreadful Caribs' holds—
Little Antilles—appeared.

In the huts of that voracious race
What dreadful things befel—
Your blood would creep e'en in your sleep
If I were but to tell.

Some wretched prisoners having freed,
Let it suffice you here,
They sailed to Fort la Navidad,
To find their comrades dear;

Whom in that world so sweet they'd left,
With gentle beings round—
I shrink from telling of their fate—
Nought but their *bones* were found.

The Spaniards learned from Indian friends,
That a fierce Cacique by night—
"Th' Lord of the Golden House"—so named—
The fortress burned outright,

And slaughtered all;—the Admiral far
In Spain—this grieved them sore—
Soon they commenced to build a town
That longer should endure.

This city—Isabella named—
To praise the Queen so fair—
It quickly grew, till sickness came,
And wrought them great despair.

The Viceroy ships had sent to Spain,
With specimens of gold,

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And fruits, and plants, and drugs they'd found—
So hope, *there*, grew not cold.

In minds imbued with classic lore,
Poetic dreams did burn,
Of a *golden age*, in the new found world—
These thought of old Saturn,

And Ceres, and Triptolemus—
How *once* round earth *they* went
New arts to teach, and knowledge give,
To beings ignorant.

But in that world a cruel cross
To Colon there befel—
Conspiracy the foulest rose,
Which scarcely could he quell.

Some malcontents to Spain he sent
For trial—peace in land
A journey to the golden mounts
Of Cibao he planned.

A road was cut as on they passed,
By cavaliers so gay,
The first e'er formed in this new world,
Up steep, steep mountain way.

When to its summit high they'd gained,
Oh! what a glorious scene
Burst forth to view—a lovely plain,
Enamelled o'er with green,

And brilliant flowers;—there giant palms,
And tall mahogany trees,
Umbrageous spread—and hamlet's smoke
Streamed, feathery, on the breeze.

How throbbed the guileless natives' hearts,
When shone out from that height,
That band of warriors, cased in steel,
All glittering on their sight.

Their prancing steeds—Oh! what were they?
Were horse and rider one?
They saw the banners, heard the trumps
And din, then loud begun—

Of thundering drums;—with yellings shrill,
They sought a covert wood,
But soon returned, by Colon won,
And rendered service good.

In the mountain chain of Cibao
They found much gleaming gold—
The noble forests, too, around,
Did odorous spices hold.

In every valley, every glen—
Did limpid streams unfold—
And Oh! each stream and rill be sure,
O'er gold dust sparkling rolled.

And vines, oppressed with grapes so rich,
In those fair woods they grew—
Some there would gladly sojourn now,
And *this* had they in view.

They reared a fort—St. Thomas named—
Near to this mount of gold;
The natives of those regions seemed
In reverence, *whites* to hold.

A life all innocent led they—
Having in God belief;
Holding the spirits of their dead
Immortal—calmed *their* grief.

They thought the spirits *pure* that passed
Were sent to join a band,
Who dwelt in *glory*, near a lake,
Of that, so sweet island.

There roved those souls, 'midst shadowy bow'rs,
Ambrosial fruits their food—
Whilst lovely female sprites around
Were essences of good.

These Indians, 'neath their tall, tall palms,
O'er the bright enamelled mead,
The mystic dance, which story told,
In joy, would often lead.

They danced to *chaunts*—relating deeds
Of days heroic gone—
Or those projected enterprise,
Of war, or hunt, alone.

O, *Poesy!* divinest maid!
To catch a *glimpse* of *thee*,
Was pleasant sure—all *unadorned*—
'Midst *nature's* revelry!

They'd timbrels framed of fishes shells—
As they leapt a drum would sound
From out some giant hollow tree—
Oh! they in peace were found,

That gentle race,—where white men came,
Was ever rural fete;
The treasures of their streams and groves,
They laid at Spaniards' feet.

For beings from the crystal skies
They deemed that race to be;
Alas! the fiat had gone forth
That closed their liberty!

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A ROYAL MARRIAGE.

The throne of France has, for a long time, descended irregularly, and the example of the imperial rule of Napoleon and of the present dynasty, establish precedents, in pursuance of which France may be considered an elective monarchy. When Napoleon, on being chosen Emperor by the French senate, submitted the question to the people of France, the vote stood 3,572,329 for the Emperor, and 2,569 votes against him, 3,574,898 votes being cast. This was really a manifestation of the popular will. The number of voters when the present dynasty came into power was but 200,000, and the chief end and object of 18 years reign seem to have been to make the crown hereafter descend in a regular line. Inasmuch, however, as that Louis XVI. was the grandson of Louis XV., who was the great grandson of Louis XIV., and the supposititious reign of Louis XVII. was succeeded by Louis XVIII., who was expelled by popular will, and the younger branch, Louis Phillippe I., succeeded irregularly, and has already lost by death its immediate heir, the fate of the throne to descend in broken succession remains apparently unaltered. The new dynasty had been in power but a few years, before its immediate heir was killed by a fall from a horse, and the descent of the crown twice elected, became exposed to the perils of a long minority of the present heir. The late Duke of Orleans, heir apparent of the French throne, married, in 1837, Helen, a half-sister of Paul Frederick, reigning Duke of Mecklenburg Schwerin. She was born in 1814, and was, consequently, at the date of her marriage, 23 years old. The family of Mecklenburg is, with the family of Capets, the most ancient reigning house of Europe. It is the only sovereign house of Sclavonian origin now in existence. The German genealogists trace them to the Sclavonian Princes of the race of Wandalique, of the tribe of Obotrites. From Miceslas to the present day, it counts twenty-eight generations. It has contracted alliances with nineteen sovereign states and with twenty-three sovereign families, of which fifteen still exist. It has given seven queens or regents to Russia, England, Poland and Prussia, and its last connection was by Helen to the heir of the French throne. From these facts it would seem that this family is "pretty considerably" aristocratic, and when Louis Phillipe looked round for a wife to him, through whom he sought to bequeath the sovereignty of France without consulting its people, the Princess Helen presented herself as the very "double extract" of royalty, and a most eligible match. The wily monarch made propositions that were, however, by no means favorably received. The fate of the two Austrian Princesses, who had become Queens of France, presented no such enviable results as to make the Princesses of Europe anxious to follow their example. To be sure, the fate of those ladies may be mostly attributed to their own bad conduct. The lewdness and follies of Marie Antoinette powerfully contributed to the fate which overtook her and her husband, when a great people, smarting under the wrongs of a thousand years, rose in their might and destroyed the oppressors. The fate of Maria Louise, who died recently, only excites the deepest disgust. After being raised to the highest pinnacle of human splendor, through her union with the greatest captain of any age, to abandon him in the hour of his adversity, and through choice, to spend the remainder of her life as a common prostitute in a small Italian town, speaks but little for the tastes of the "daughter of

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the Cæsars." Marie Antoinette ascended the throne of France when the idea of the will of the people being an element of state government, was scarcely dreamt of; yet her career was short and bloody. Since then, the government of France has five times violently changed its rulers, and the husband proposed to Princess Helen was but the heir of a revolution. Under these circumstances, her relative, the Emperor of Russia, as well as all the German Princes, energetically opposed the marriage. The mother of the Princess, however, like the mother of the Spanish Princess, on a more recent occasion, was easily won over, and the marriage finally consummated. In some respects, the dark forebodings have been realized. The happy bride is now a bereaved widow, trembling for the future destiny of her fatherless child, who is to rule over one of the greatest and most agitated nations in Europe. The sympathies which France has ever excited in this country, and the momentous events which hang on the flickering life of Louis Philippe, may make the circumstances of the marriage, from which resulted the infant heir to that too perilous inheritance, the throne of France, interesting, as described in the following extracts from letters written by members of the family of the princess, to a lady now resident in Columbia, S. C.

Letter from Baron de R., Lord Chamberlain to the Princess, written during the journey of the Princess and her mother, the Grand Duchess of Mecklenburg Schwerin, from Germany to France.

HANAU, *May 23d*, 1837.

Yesterday, between eleven and twelve o'clock, the French Duke de Broglie arrived with a numerous French embassy, to be introduced to the princess. This important moment has been crowned with brilliant success. They all protest that their expectations are far surpassed. Our dear Princess Helen has made the most favorable impression on the first representatives of France. The Duke de Broglie, a man of grave and dignified aspect, was himself at first a little embarrassed. He read his address to the princess, to which she responded with superior grace and nobleness of expression. After this, the duke introduced the whole embassy, and presented a large box filled with costly gifts to be distributed by the princess during the journey to Fontainebleau. We are to continue our travel with a large cortége; we require already eighty horses, and look like a triumphant procession. Thousands greet with joyful shouts that youthful and interesting being, who goes with calm trustfulness to meet her high destiny. The crowd is often so great that we have difficulty in passing through, and every where there are new introductions.

ALZEY, *May 24th*.

Yesterday was again an uninterrupted triumph, although the passage over the beautiful Rhine awakened many serious feelings in the bosoms of our travellers. The fine weather which has favored us since the day of *St. Helen*, and now blesses us on the soil of our fatherland, may be a good omen of the future. We all feel happy to the growing enthusiasm with which the princess is greeted. All the French gentlemen who accompany us are in raptures about her. At Mariatz, the two princesses gave a grand dinner, and in the evening invited a large number of ladies. Notwithstanding their fatigue, they are well. The Princess Helen has also her daily correspondence with Paris. Every morning a courier

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arrives, with the most beautiful flowers and fruits for her from the Duke of Orleans.

26.—I was interrupted yesterday, and I may say, I have been since then in a paradise of enchantment. Never was a princess received with such universal delight in her new country, as is our beloved lady on the soil of France. We have had splendid weather, also, for all these festive scenes; but the greatest pleasure of all to me is, every where to behold HER the dear object of a nation's love and praise. I can easily imagine how much your thoughts have been with us; but even all your fancy could paint, is surpassed by the reality. We who accompany her, feel as if it were a fairy dream.

The sun was shining gloriously yesterday morning when our procession left Saarbruck, in the following order: At the head moved the Duke de Broglie and the Count de Portallis, followed by a detachment of Prussian hussars, with the Commander in advance of the carriage of the princess; next came the *Prefet* of the department of the Moselle, after whom the other carriages, all in grand gala. At one o'clock we reached the frontier of France; the music swelled into loud huzzas; while, from the other side, the thunder of the French cannons greeted the ear, as the princess passed through the triumphant arch. On an elevated platform, three large and elegantly decorated tents were raised. On either side stood thirty-two young girls, dressed in white, and presenting flowers to the future Queen of France. As we entered the principal tent, I performed with a sad heart my last official service to the princess, by introducing her new French cavaliers, the Counts de Choiseul and Gourgaud, who brought letters to her from the whole royal family; the *Prefet* then delivered an eloquent address. After this, the Duke de Broglie led the princess through thousands of spectators to another tent, where we partook of a breakfast á la fourchette. The view from this height of the swaying multitude, the assembled *garde nationale*, and the regiments of the line, was imposing, and indeed a most exciting scene for us, her friends, agitated as we were, by such various emotions. After breakfast, all the troops marched in review before the royal bride, who acknowledged the applause of the shouting multitude with that charming kindness which made her from her first childhood the idol of all hearts. We then proceeded rapidly, accompanied by hussars, lancers, and the couriers, who go continually between here and Paris. At each relay, we required two hundred horses, as every carriage had six. To give an *air de fete*, all the postillions wore the tricolors on their hats and arms.

When the train arrived near the fortress of *Metz*, where there are forty thousand inhabitants, and a garrison of ten thousand men, the crowd being increased by the people assembled from the country, and occupying the windows and the highest trees, the princesses went into an open carriage with the Duke de Broglie, and their entrée was made amid the thunder of artillery, and the acclamations of the people, through the lines of the troops. When they stopped at the hotel of the *Prefet*, the addresses and presentations took up several hours. Our princess fulfilled these not easy duties in such a manner as to excite universal astonishment and admiration of the future heiress of the throne of France. Her mother also distinguished herself by her calm and dignified deportment. At seven o'clock, a sumptuous dinner was prepared by the servants of his Majesty, to which fifty persons of the nobility were invited. At night, many ladies were introduced, and at ten o'clock, the distinguished guests enjoyed a magnificent feu d'artifice, while the excited multitude shouted without cessation, "*vive la Princess Helene!*" Three hours after

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our arrival in France, it was known in the Tuilleries by the telegraph, and the princess had yesterday two letters from the Duke of Orleans, whom we expect to see at Chalons.

Just now I am greatly amused at the arrival of a French *caiffeur* and a dressing-maid, from Paris, which has been announced to me. They were sent to give to the appearance of the princess the true finish of the Parisian *toilette.*

Extract from a letter from Mme. de B., the French Governess, who educated the Princess Helen.

FONTAINEBLEAU, *May* 30*th*, 1837.

It is with a trembling hand that I write to you a few lines during the few moments of leisure which I find on this great day, in which so many prayers are sent to heaven for our beloved princess. But how thankful ought we to be to the Lord for his grace in opening for her a path to all hearts! All appears to us like a miracle! She has supported with wonderful strength all the various emotions that filled her heart, but this morning she wept a great deal, and still appears agitated. No imaginable description can give to you a just idea of the Duke of Orleans. Grace, unrivalled beauty, nobleness, sensibility, delicacy belong to him, and what heightens the value of all these noble qualities is, that he seems delighted with his bride; although she shows herself less fascinating to him, than to the other members of his family, by reason of an insurmountable embarassment in his presence—perhaps because she loves him already so much. "He is an ideal," she said to me after her first interview with him. It was at Châlons that the prince came to see her, on the twenty-eighth of this month. He was so agitated when he went up to her apartment, that the generals who accompanied him feared he would faint, scarcely had he strength to walk up the steps. The Grand Duchess was the only one present at this interview, which lasted a whole hour, and filled her maternal heart with the sweetest joy. When the duke left the princess, he said to one of his officers to whom he is much attached, "if I had the choice among a thousand, I would have selected none but her. I am truly happy!"

June 1*st.*—It was impossible for me to continue this letter during the last two days. My heart was united with yours in the grand, the solemn moment, when she pronounced before God the vow which binds her to the Duke d'Orleans. No words can describe the princess on that day. Calm, affectionate, thinking of all, her heart more humble than ever, in the midst of the admiration which she excites, covered with all the splendor which luxury could divine, she was simple as in her little boudoir at Ludwigslust. I will not describe to you the magnificent presents which she received; only of *her* will I speak; of her who deserves so richly the love which she inspires. Let us return to the journey, which we continued, accompanied by the Dukes d'Orleans and Nemours. The whole road was crowded with people in festival dresses. The two princesses and the Duke de Broglie were in the magnificent gilded carriage of the king, drawn by six white horses. In the second carriage, which was a very gorgeous one also, were your friend Clara, the Duc de Choiseul, the General Gourgaud, and *I* your humble *Nancy.* Arrived in the immense court of the *chateau,* military music and cannon resounded. On the elevated portico were standing the king and his younger sons. The Duke d'Orleans gave his arm to our Grand Duchess to lead her up to the steps,

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and the Duke de Nemours conducted Princess Helen, who threw herself in the deepest emotion at the feet of the king. He received her in his arms with the most affectionate expressions, and brought her to his queen. The royal couple then said, holding each other by the hand, "we have loved each other thirty years; and we hope it will be the same with you, my children!"

An hour afterwards, the princess, dressed in a superb robe of pink and silver, one of the presents from the duke, received a number of presentations. Her noble deportment, her grace, her angelic expression, were universally admired. *Monseigneur* was always at her side, making every thing easy and familiar to her, and wore an expression of joy and happiness which it was delightful to contemplate.

The ceremony of the marriage took place at candlelight in the galleries of *Henry the Third.* The chandeliers were arranged in such a manner, that the light seemed to stream through the windows, throwing no shade —thus producing a singular and strikingly beautiful effect. Our princess was superb; her dress of Alençon lace, (the price of it $5,625,) became her extremely well. A crown of diamonds, in the shape of flowers, round her hair; and the *orange wreath*, of which I send some leaves to you and other friends. She wore a veil of lace attached with a cluster of diamonds, and a necklace of Châtons, with ear-rings and Sevigns, a present of the king. But her expression surpassed all—so pure, so lovely, and commanding at the same time the deepest respect. The ceremony was grand and imposing! After it was over, the royal family retired to their apartments, and the duke and his young duchess to theirs, which is magnificent beyond description. I will not attempt it. I wish I could explain in words the kindness of the king and of his noble queen, and his sister, and their happiness in possessing her, who will secure that of their beloved son. The younger princess and princesses are enchanted with their new sister. They call each other already *thou*, and there seems among them one interest, one happiness, with the sweetest manner of expressing it. Yesterday, after breakfast, we promenaded a long time in the woods in the favorite *chars à bancs;* the gentlemen on horseback. *Monseigneur* distinguished himself by his grace and elegance. After dinner we went to the theatre, where the celebrated Mademoiselle Mars played, in the grand opera and ballet composed for the occasion. Everywhere were garlands hung with the inscription, "*à Helene le cœur des Français.*" Indeed, she wins all hearts, and the knowledge of this increases her happiness. The duke shows her the most devoted attention, and she begins to be once again *herself* with him, that is to say, very lovely. He will not permit me to leave them before all the fetes are over, and promised that an apartment of my own shall always be reserved for me in the Tuilleries, so that I can return as frequently as agreeable. This noble prince does not belong to those who think that in the heart there is only room for one great affection, and consequently all the attachments of the princess are understood and approved by him. To make him more beloved and appreciated, he has only to be seen with our Grand Duchess, who never mentions him without tears in her eyes. She loves him as her own son, and says she has never seen his equal in her long life.

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Letter from the Baroness Clara de S., Lady of Honor of the Grand Duchess of Mecklenburgh.

NEUILLY, *June 26th*, 1837.

It seems to me as if honey-moons might become honey-years, every time I look at our young couple. How often do I think of you when I see them walking together in this delightful place; and when the sweet face of the princess says to me: "I am so happy!"

The more I become acquainted with the Royal family, the more I respect and love them. What a rich nature is that of the king! what genuine respect does it not inspire! How is all in unison—there is mind and heart, and every faculty equally developed! The experience of a life of excitement and trial has proved to him a possession which brings the highest interest.

When the circle in the evening is dismissed by 10 o'clock, the good king seats himself for an hour at the round table, in the queen's private apartment, where the queen, his sister, my Royal Highness, the two ladies in attendance, and myself, are with him, and work at our tapisserie while we listen to him. Those are delicious moments for me. The king often relates the drollest stories and looks so grave, while we all are laughing, that it is amusing to see him. Sometimes he speaks of his younger days, or of serious and important matters. I am full of admiration of his great mind and his noble character.

Our princess feels now altogether at home. Ah! our highest expectations for her are surpassed! Every day this illustrious young couple seem more happy. The whole demeanor of the Duke d'Orleans shows that he knows how to appreciate her. He is almost always near her, and their whole deportment is charming. She cannot praise sufficiently his kindness and his tender care of her. When we see her in the circle of this noble family, beloved as a daughter and sister, we rejoice for her, and feel less sensibly the loss sustained by our court—by our hearts! Her highness, the Grand Duchess, is delighted; and finds herself compensated for all the injustice she suffered from the nearest relations in Germany, on account of this marriage.

Letter from the Same.

COMPIEGNE, *Sept. 16th*, 1837.

How I wish you could sometimes have the pleasure of seeing our princess with her glorious duke! It was a sweet tableau to see them together in the steamboat on our way to *Chateau d'Eu*, where the king had invited us all. How often did I think of you during this truly *ideal* voyage. It combined everything that is pleasant and delightful. The banks of the Seine are riant and romantic at the same time; and all had the air of a *fête*. Our steamer was decorated with flowers and garlands, and the tri-colored flags were flying around us like butterflies. On the shores all was life and joy; for old and young came to greet the youthful pair, and joyful acclamations of "*vive le Duc et la Duchesse d'Orleans*," were without end. The weather was so pleasant that we could continually remain on deck, and I wished only for *more eyes* to see all the beauties of the landscape at once. They have a right to call it "*la belle France*." The whole of Normandy, through which we passed on the chrysolist-colored Seine, is one most beautiful garden. Pretty villas

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and cottages, (among these, the one belonging to the amiable poet Casimir Delavigne,) look down from the hills, and little villages are half-concealed by shady woods, and surrounded with green meadows. These are diversified with high mountains, old towers and ruins. The ruins of the Chateau Gaillard, built by William the Conqueror, present a striking aspect. Old gothic cathedrals are everywhere to be seen; those of *Rouen* and *St. Oain* were more picturesque than all. *Rouen* is an interesting place, but one day there was too short for so many attractive sights. From *Rouen* to *Canteleu*, where we left our steamer, the scenery increases in grandeur, as the Seine is wider. I should have continued with pleasure, notwithstanding the high waves, the tour by water;—but the duke was afraid the princess might suffer from seasickness, and so we had recourse again to our carriages—my happy mistress, with her noble children, in the first. It is gratifying to see the behavior of her son-in-law towards her; so amiable, so full of respect.

We rested one day at Havre, finding everywhere the most affectionate reception and festive preparations. Yes! our princess has in her new country the same power over all hearts which made her so idolized in her fatherland. The grace of God, which is promised to humble and innocent beings, and the blessing that springs from it, is with her wherever she goes! From *Havre* we went to *St. Valery*, an original-looking place, near the sea, where we stopped for the night. The next day we proceeded from *Dieppe* to *Eu*. After a ride of five hours, we saw the high, pointed roofs of the *Chateau d'Eu* and the blue sea, with the old dark avenues, in which *Mademoiselle de Montpensier* walked so often. A little farther the town appeared, with the church on the slope of the hill. The plain, with the green meadows and clusters of trees, stretches along by the sea; and the village of *Treport*, with a lighthouse, gives to the whole landscape a still more romantic appearance. The dear and good king received his children and our whole company with the greatest kindness, and never shall I forget those eight days which we spent there. *St. Cloud*, although very beautiful, could never please me, but the leaving it made me sad, as we left the house of the dear king, where we had received so much kindness. *Compiegne* is elegant, but altogether in the new style—handsome, regular features, without expression; and I do not like such faces.

Now you want to know how we spend our days here at the new court of our young Duchess d'Orleans. The society *de fondation* consists of the illustrious young couple, my royal mistress, the *Countess Lobau*, with her daughter, the two other ladies of honor of the duchess, and the *Duke de Coigny* and *Count de Slahault*, cavaliers in attendance. We have besides, the whole staff and aides of the duke: *General Randas*, formerly governor to the prince, and General Marbot, a very droll man, who looks cross, yet notwithstanding tells the most witty and comic stories, which always make us laugh. Then there is Colonel Gerard, the Duke d'Elchingen, son of the unfortunate Marshal Ney, who has the appearance of a melancholy young chevalier of the old German school. The sad fate of his father made such an impression on him that he rarely smiles, except when he speaks of his children. These are the most interesting persons in our society; they dine always with us, and three or four times in the week fifteen or twenty persons are invited from Paris, or from the environs. Breakfast is not, as at the king's, in common. The ladies take it in their rooms, and every one spends the morning hour as he pleases. By three o'clock we assemble to ride, in carriages or on horseback, in the forest of *Compiegne*. At

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seven o'clock we have dinner, after which the circle meets in the saloon of the princess; and the round-table, with the tapisserie-work, the piano, and a quantity of albums, entertain the company. The gentlemen walk about, and in some of the rooms are several games of whist. Once or twice a week there are hunting-parties, and we ladies follow in the carriage.

Sometimes I have the pleasure of being ordered to the boudoir of the princess, and when the hundred *valets de chambre* and servants have closed the last door, I am alone with my beloved young friend. Those are happy hours, which I enjoy far more since the regal pomp, which at other times surrounds her, no longer oppresses me. I look through it into that ever faithful and humble heart; and when the princess seizes my hand *en passant*, or her kind look tells me she is happy, then I am also happy.

A REAL PIRATE.

In this enlightened age, the notion obtains very extensively that a real, veritable, bona-fide pirate, is quite an obsolete affair—a character of the past—a fellow who has performed his part, and retired from the world's stage forever, leaving behind him nothing but his name and a few pleasant and poetical associations, among which occur black flags, and bloody, emblazoned with death's heads, scuttled ships, with projecting planks nicely balanced over their quarter rails, and low, black schooners, with masts stepped at an angle of forty-five degrees, or, as the sailors say, "half way between nothing at all and a church steeple." Talk of pirates—people at once think of the Buccaneers or the salle rovers; and if by special invitation their attention is attracted to the piratical of modern times, they boggle at Lafitte and the victims of Commodore Porter's cruise, and come to a dead halt at the mention of the renowned Wansley and Gibbs. Beyond these two worthies, now some fifteen years defunct, it is almost impossible to coax the credulity of a single member of this not-to-be-humbugged community. No! it's of no use. Then and there, on Bedlow's Island, was hanged until it was dead, the romance of the seas; and now, of all those who go down to the sea in ships, and do their business in the great waters, you can't find a dozen, who, apart from the question of Malay proas off the coast of Sumatra and around Java Head, have any more respect for pirates than a modern boy of eight years old has for ghosts or the devil. Alas, for the good old piratical and poetical! both have been swamped in the floods of utilitarianism; often united in their lives, in their deaths they are not divided. In this respect, however, their degenerate progeny may be said to resemble them, but with a difference; the old piratical was always poetical; the new poetical 'tis said, is often, if not always, piratical.

The piratical having thus nearly disappeared as an element of the social state, and a very general skepticism as to any lingering remnants of it having taken possession of the public mind, it behooves any one about to introduce a real pirate into general society, to preface his appearance by an assertion of his claims to confidence. With this view, I

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have added the epithet real—meaning thereby an actual, veritable pirate, in contradistinction to your ideal Red Rovers, and all such kind of fanciful craft. My free-booter was alive and hearty but a few years since, and I presume he is so now, inasmuch as he was a middle-aged man, with a good constitution; and my story, if it has but a little romance in it, has a good deal of truth, which is something in these days of animal magnetism and quack medicines.

But where shall I begin? Ah! I see—just off the Island of Flores, with Corvo, black as one of the crows from which it is named, far off in the distance to the north. Beautiful is the first land fall at sea, under any circumstances; and it may be imagined that it was with no ordinary feelings of pleasure that we gazed up the deep ravines and green valleys, dotted with the occasional hamlets, churches, and convents, and along the steep and rugged hill-sides of the northernmost of the Azores.

"Beautiful!" I exclaimed, as I stood upon the poop-deck of the corvette C——, with my spy-glass supported against the shrouds of the mizzen-rigging; "what a lovely and inviting valley!"

"Beautiful, indeed," replied one of the officers of the ship; "but did you ever hear that remark about distance lending enchantment to the view? If you were ashore there, you would find things of a different hue, I'll be bound. Those dark green slopes are nothing but potato patches, or what is equally unpicturesque, stumpy and bushy vineyards; and as for those pleasant-looking hamlets, I'll bet you could'nt get within fifty rods of them for the filth and stench with which they are surrounded. There is nothing like a Portuguese villa in the distance for an optical illusion."

The further discussion of the beauties of Flores, which, despite of the lieutenant's contemptuous opinion of Portuguese picturesqueness, seemed to be worthy of its name—the Island of Flowers—was interrupted by a midshipman, who, touching his cap to the officer of the deck, reported something floating in the water, a few hundred yards off the weather-beam.

"What does it look like?" demanded the lieutenant.

"Why, sir," replied the middy, "it looks to me like a bunch of sea-weed; but Jem Jones, of the fore-top, says he thinks it is something more than sea-weed; and Jones has got eyes like a hawk."

"Pshaw! it's nothing but some piece of a spar, with sea-weed collected round it. However, there is no harm in looking at it a little nearer. Take a pull on the larboard braces! Luff up! luff up! Mr. P—, report to the captain a nondescript in sight to windward."

"Fore-top, there!" shouted the officer of the deck, in a few minutes after his order for bracing up the yards had been executed. "Fore-top, there! have you got your eyes open?"

"Aye, aye, sir."

"Well, what do you make out on the weather-bow?"

"A barrel or cask of some kind."

"A barrel! well, it's to be hoped there is something in it," observed the purser; "to-morrow is the fourth of July, perhaps this is a godsend from old Neptune, in honor of the occasion."

The object was now plainly in sight, and the captain coming on deck, the ship was hove-to, and a boat lowered and sent for it. It proved to be what the top-man had announced—a barrel—although, when close along-side, it was a puzzle to me how any one could make out its character. Upon freeing it from sea-weed, and hoisting it on board, it was found to be completely enveloped in a mass of animal matter—barna-

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cles, sea-suckers—long worms, and a kind of flat centipede were intertwined in a firm and solid layer from three to four inches thick. The cooper was sent for, and after a good deal of active exertion, the head of the cask was exposed to view.

In the meantime there was much curious speculation afloat among the group of spectators, as to the time our prize had been in the water. Three years was the shortest period allotted by those who had had most experience of the sea; while among the junior officers there was a considerable diversity of opinion, and a much more liberal allowance of time to conjecture. "I'll tell you what I think," demurely interposed one of the younger middies—"you recollect that Columbus, when he was coming home on his first voyage, was caught in a terrible nor'wester just here, off the Western Islands, and in order that the knowledge of his great discovery might not be lost in case he foundered, as he was expecting to do every moment, he wrote two letters, enclosed them in tin cases with wax, put the cases in barrels, and then threw them overboard. There is no account of their ever having been picked up, and, of course, they must have been floating about till this time. I guess this is one of them."

"But the barrel is full of liquor of some kind," objected one of the by-standers.

"True," replied the middy; "but it is the sea-water, that, in the course of three hundred and fifty years, has leaked in—we shall find the cake of wax inside all safe."

The carpenter having, at last, scraped his way down to the head of the barrel, proceeded to tap it with a gimlet. Upon canting the cask over, a clear, colorless liquid streamed from the orifice, diffusing around a grateful fragrance, that made several old tars, who were assisting at the operation, snuff up the air with evident delight. A cup was brought and filled. The carpenter passing it to a midshipman, the midshipman to the first lieutenant, and the first lieutenant politely handing it on to the captain—who, nosing it with a dignified and pensive air for a moment or two, touched it to his lips, and handed it back to the first lieutenant.

The first luff raised it to his lips.

"Gin!" exclaimed the captain.

"Gin!" said the first luff.

"Very good!" said the captain.

"Devilish good!" responded the first luff.

At this moment the officer of the deck interposed to cut short the rising discussion. "That ship," said he, "to leeward, is acting in a queer kind of way. Since she was reported, about half an hour ago, she has altered her course, and is heading up for us as close as she can lie. She has signals flying, that I can make nothing of, at her fore and main-masts; but I can't tell whether she has a flag at her peak or not. I suppose she wishes to speak us."

"Well, sir, square away, and give her a chance to do so," replied the captain.

The attention of all the idlers was, by this order, directed to the advancing ship; and upon looking round again for the first object of interest—the barrel of gin—it had most mysteriously disappeared. There was a rumor current throughout the ship, during the day, that the barrel had been seen on its way to the captain's store-room; but an extra glass of common ship's whiskey, given, ostensibly, in honor of the Fourth, but in reality, as Jack suggested, by way of commutation for

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his share of the prize, was all that was ever heard of that cask of well-seasoned Hollands.

The stranger having backed his main top-sail under our lee-quarter, announced, in answer to our hail, that he was an Englishman—a hundred and ten days from Sidney, in New South Wales, and that the day before he had been boarded by pirates.

At the bare mention of the word pirate, there was as strong a sensation throughout the ship—from knight-heads to taffrail—as ever ran through a New-York drawing-room upon the announcement of an English lord or a mustachoed French marquise. One of the quarter boats was at once lowered away, manned, and the first lieutenant placing himself in the stern-sheets, pushed off, and was soon on board the stranger. We had nothing to do but to await his return. In the meantime speculation was rife as to the circumstances of the piracy, and the probable whereabouts of the freebooters.

The report of the lieutenant, upon his return, was to the effect that the Englishman had been boarded early in the forenoon of the day before, by a boat from a clipper-built brig, after having been summoned to heave-to by a shot from a long gun amidships. The brig showed no flag, but appeared to be well-manned with a Spanish-looking set of fellows, in red caps and blue woollen shirts, and in addition to the first gun, she carried three or four carronades on a side. Upon coming on board, the boat's crew at once set about plundering the ship, apparently seeking only such articles as they could use on the brig. In fact, the officer of the boat announced, in the politest manner, and in broken English, to the terrified passengers and crew, that his craft was merely short of sea-stores, and that he should simply help himself to such things as he stood in need of. How much of this forbearance was due to the fact that he knew there was hardly a possibility of there being any specie on board, and that the cargo was bulky, and of but little value, it is impossible to say. Having helped themselves to a new fore top-sail, several bales of canvass and rope, three or four barrels of pork and biscuit, and sundry articles from the tool-chest and steward's pantry, the pirates quietly got into their boats, and went off to their brig, which, without further notice, filled her main top-sail, and stood off to the south-east.

A long passage had already greatly reduced the Englishman's stock of provisions, and the pirate's exactions left him with barely ten days' supply, even after putting all hands upon the shortest possible allowance. It was this that had made him so anxious to speak us. Supplying him with beef and bread enough to last him for the remainder of his voyage, we bade him good-bye, and hauling our wind, stood upon the track of the pirate.

Not a sail showed itself the rest of the day, although some two hundred pairs of eyes were kept on the stretch; and provoking enough it was, when to a dead certainty there was a pirate within a hundred miles of us. The next morning, however, we were gratified with the sight of a set of topgallant sails; but unfortunately then there were three of them, whilst the gentleman we were after carried but two, his vessel being a brig. It was thought, however, best to overhaul the ship in sight, and inquire if she had seen anything of the freebooter, whose acquaintance we were so anxious to make. To do this, it was necessary to haul up a little, as the ship was to windward; but to our surprise it was soon perceived that the stranger had followed our example, and braced up too. A still sharper pull on our lee braces produced a corresponding change in the stranger's

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course, and it was evident, that for some reason or other, he was indisposed to speak us. It would never do for a crack corvette to give it up so, and with everything set, alow and aloft, and bowlins hauled taut, we commenced a regular chace. At length we got near enough to send a shot dancing along on the water ahead of him, when he at once put his helm up and came down under our stern. She proved to be a beautiful Portuguese clipper-looking craft, with unmistakeable tokens of the slaver in every line of her finely moulded hull, and in the spread of her square yards and taunt tapering topmasts. However, we had nothing to say to her or her business, and she had seen nothing of the pirate, so we filled away for Fayal, upon the suggestion of the first luff. "Who knows," says he, "but that the fellow has gone into Fayal—it is close by; and as he appears to have been short of grub, he has, perhaps, put in there for potatoes and onions. As to the onions, I'm sure he couldn't do better, for the Fayal onions are almost equal to those of Madeira, and the Madeira onions are famous the world over."

We came to anchor in the roadstead of Orta, amid a fleet of Yankee whale ships, who were laying in their stores of vegetables and fruits; but no pirate was to be seen.

Orta, with its whitewashed buildings, looks pleasant enough from the sea, but as soon as you set foot on shore you find yourself in a little filthy dilapidated town. The streets, perhaps, are not so disgustingly dirty as those of New-York, but they are very narrow, and the houses are old and mean. On the opposite side of the roadstead rises the beautiful peak of Pico; its top covered with snow and enveloped in fantastic and ever-varying clouds, and with its steep sides clothed with vineyards, from whence come the Pico wine of the New-York market.

There was no pirate; but as the first luff had promised us there were plenty of onions, "mild as new milk, and big as your hat," of which with other fruits we laid in a good store, inasmuch as it was whispered that we were going to run by Madeira without stopping at Funchal until our return.

Ten days from that time and we were becalmed, right under the famous Peak of Teneriffe. By this time the excitement about the pirate had died away; the fellow had slipped off, not only out of the sight of the sharp eyes at our fore topmast cross-trees, but apparently out of the minds of the loungers on the quarter deck, and the conversation for the time flowed in two pretty nearly equal streams—one an abuse of the calm, and the other a laudation of the majestic peak. *Pour passer le temps*, the deep sea lead was got overboard, but there was no bottom at hundreds and hundreds of fathoms. If the ocean ever dries up, so that the Peak of Teneriffe can be viewed from the present bottom of the surrounding sea, it will unquestionably be thought to be the most astonishing mountain in the world.

Every thing must have an end, even a calm in summer among the Canaries; and at last a gentle breeze and a favorable current set us around the island to the roadstead of Santa Cruz. There was quite a display of shipping at anchor, and the city looked really enchanting with its yellow and white-washed buildings, stretching along the foot of the craggy mountain. But it must be recollected that this was my first visit, and I had no idea of what a hot and disagreeable hole the chief town of Teneriffe really is.

"What a fine town," I exclaimed, as our gallant vessel was slowly creeping before the first light puffs of the sea-breeze into her anchorage.

"Fine town, indeed!" exclaimed the surgeon, who had had some ex-

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perience of the place in a former visit; "a fine town for lazy priests, beggars, and fleas."

"That's true," interrupted the purser, "but I don't know that it is any especial reproach to Santa Cruz. You may say it of almost any Spanish town that I have ever had the luck to visit."

And this is the land that was once peopled by the Guanchos; and it is the caverns of those precipitous rocks that are said still to hold their mummyfied remains. Mysterious people! who, it is said, reversing the usual order of things, allowed every woman two or more husbands. What an argument for Fourierism—not as bearing on the merits of that much talked of system, but as showing its possibility—as proving that in the social state there is nothing, however absurd or contrary to our reason or our prejudices, that may not under certain circumstances be done. And there, on the very batteries, a shot from which, if I recollect aright, took off Nelson's arm one night, when he was out on boat service; and then, far away up the dark ravines stretch the vineyards that produce some of the finest wine in the world; albeit, the name Teneriffe has come to signify in the American market everything that is abominable in the vinous way.

My reflections were cut short by the rattle of the chain cable, as the anchor dropped from the bows. A boat was soon alongside with several dark-looking officials, in dingy gold lace, who proved to be health officers. *Pratique* was at once granted, and we had permission to communicate with the shore. In a man-of-war, coming from a healhty port, there is never much trouble with the quarantine; but in a merchant ship, nine cases out of ten, nothing can be more vexatious. Of all the modes of annoying a quiet voyageur, including custom-house regulations, passports, &c., there is nothing to equal the miserable, useless, and barbarous quarantine laws of about half the ports in the globe.

Our anchor was hardly down, and *pratique* obtained, when the captain's boat was ordered to be manned. It was decidedly uncommon and *infra dig* for the skipper to hurry ashore in the first boat; and a good deal of conjecture was wasted as to what the old fellow had in his eye. The most reasonable supposition was, that he wanted to get the weather-guage of his middies with the black-eyed senoritas of Santa Cruz—a supposition that gained in strength, when it was found that the first lieutenant had so much work for the men, that no boat could go ashore for two or three hours. There was evidently collusion between the two oldest officers of the ship.

In about an hour's time a large boat, with two or three soldiers in the bow, and a couple of officers in the stern-sheets, came along-side. Upon being piped over, with all honors, the elder of the two officers advanced to the first lieutenant, and presented to him a note. The lieutenant glanced his eye over it, and then politely led the way into the captain's cabin.

If conjecture was a little excited and wild before, it was now stark, staring mad. What could it all mean? And that last move of the first lieutenant—taking the Spaniards so suddenly into a secret consultation in the cabin!—that was a puzzler.

"Pshaw!" observed one; "that is only because he don't like to uncoil his Spanish here before us all, on the quarter-deck."

"Don't you believe that," replied another; "if there is anything the first lieutenant is proud of it is his Spanish; and he'd uncoil it, fake after fake, on the quarter-deck of an admiral"

Conjecture was busy, as I have said, when the lieutenant opened the

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cabin door, and threw on fresh fuel, by ordering a boat to be manned. As soon as it was ready he descended to the stern-sheets. The Spanish officers took their places in their own boat, and both shoved off, but not in the direction of the landing.

We watched them as they wended their way among the shipping, until they brought up along-side a small, rakish-looking brig. Their arrival seemed to produce some excitement among her red-capped crew, who, we could see with our glasses, were at once mustered aft in presence of the lieutenant and the Spanish officials, while our boat's crew were observed to ascend the rigging, and casting off the gaskets, let the sails drop from the yards.

"The pirate!" exclaimed a half dozen voices; and there she lay as plain as the day; there could be no doubt of it; the brig was unquestionably the freebooter of the Azores. All agreed that she had a wonderfully piratical air, but was a little curious that it had taken the eye of our astute old skipper to first discover it.

And thus was explained the reason of his hurry to get ashore before anything could leak out, as to our knowledge, that a piracy had been committed. Upon landing, he had at once an audience with the Governor General, and communicated to him his suspicions of the brig, which had come to anchor the evening before, and which has yet had no communication with the shore. The consequence was an order to our first lieutenant to accompany the captain of the port on a visit to the suspected craft.

Upon loosing the sails, there hung the identical fore topsail, with all its marks, as described by the English captain; the bales of canvass and rope, with the names of the Sidney makers, and the barrels of beef and pork, with their English brands.

"But what will be done with him?" we demanded of the lieutenant, upon his return from the execution of his orders; "will they hang him?" "Hang him!" not a bit of it; but they'll serve him almost as badly as if they did. He proves to be a rich fellow, from the neighboring island of Grand Canary, who has for a long time been engaged in the slave trade. He has got money, and that will save his neck; but they'll strip him just as clean as they are now going to strip his brig; and the lieutenant pointed to a score of red-capped sailors, who were busily engaged in unbending the brig's sails and sending down her spars.

The fleet clipper, that for years had eluded the English cruizers off the African coast, had at last fallen into the clutches of the half-starved officials of Santa Cruz. There could be no doubt of her fate; she would be condemned; while her captain, after being put through the squeezing processes of the Spanish courts, would be turned loose to commence again, if he could muster the capital, his trade of slaver and pirate.

"Pity we could not have overhauled him before he came to anchor!" exclaimed the captain.

"And have sent him to the United States," replied the first lieutenant, "where he would have been at once discharged—an indignation-meeting got up in his favor—and ourselves served with writs for damages."

"Never!" replied the captain—"I would blow him out of water sooner. No—I would have taken him into Gibraltar, and given him up to the authorities there. Gibraltar is not much of a town for sympathy; then there is plenty of law and justice for such cases."

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THE BELEAGUERED HEART.

I'm looking down into my heart—
  Into its deep—deep stream,
Where choking up its current lie
  The ashes of Love's Dream.

Along the brightly blooming banks,
  With a solemn step and slow,
And visage drear, and gleaming spear,
  Stride the sentinels of wo.

While from the troubled waters flow
  Into my mental ear,
Like those sounds that oft, when half asleep,
  And half awake, we hear,

The softest—saddest music that
  O'er mortal ear e'er stole
Up from the hearth-stone of the heart,
  Or the altars of the soul.

Voices whose tones have long been hushed
  'Mid the rushing waves of life—
All false and fadeless vows of love—
  All jarring notes of strife—

I hear the mournful moans of joy—
  Hope sobbing while she cheers—
Like dew descending from the leaf,
  The dropping of love's tears.

The heavy sighings of despair,
  As she folds her dusky wings—
The wild, impetuous gushings of
  A thousand secret springs.

I'm looking down into my heart—
  Into its deep—deep stream,
Where choking up its current lie
  The ashes of Love's Dream.

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FINANCIAL AND COMMERCIAL REVIEW.

In our last number we traced the operations of causes that had produced a considerable degree of pressure upon the money market of the United States, and we then indicated the process by which returning ease would probably be promoted through the payments of the country to the city in the course of the spring business. Money has consequently been more easily procured, and the rate of discount considerably diminished, although it is now here much higher than in London. The pressure from November to February was very intense in all the Atlantic cities, and it is matter of the greatest congratulation that the mercantile community have stood under it without flinching. In New-York but four large failures occurred, viz: Messrs. Prime & Co., the only American house; Mr. Kleudgen, a German house; Messrs. Bonaffe & Co., and De Launay & Co., in the French trade. At the eastward—a cotton printing establishment at Providence, R. I., the large iron establishment of Gray & Co. in Boston, and an iron establishment at Worcester, Mass., comprise the disasters during a period when several hundred merchants and bankers, accompanied by thousands of minor dealers and tradesmen have failed in England. This great comparative stability in the United States, notwithstanding that an expensive war, compelling the government to borrow $23,000,000 within the year, is to be ascribed to the sound fundamental principles on which the government system of finance is based. No one can doubt but that the extraordinary prosperity and immense importation of specie during the past year, would have been productive of an enormous expansion, had not the operations of the Treasury been such as to prevent the specie flowing into the country from being confined to the bank vaults, and to clear the channels through which the coin could flow into the general channels of circulation, and become not only a part of the circulating medium, but to constitute an important part of the floating capital of the country. The coinage for the current year is equal to one half the whole amount passed through the mint during the ten years previous. This operation of the Treasury in collecting and coining the precious metals as they arrive in the country, is of far greater importance than is usually considered. The net importation of specie in the year 1843, was larger than during the past year—that is to say, in 1843 the importation was over $23,000,000, and last year somewhat under this amount. The difference consisted in this, that in 1843 the sudden action of a high tariff prevented the importation of goods, and the usual amount of produce being sold abroad, the returns were made in specie. Last year about the usual importations of goods were made, but a large excess in the export of produce caused the returns to be made in specie. In 1843, but little over $11,000,000 were coined, while in 1847, over $22.000,000 were coined. In the former year the money, as usual, arrived at New-York and Boston in the shape of foreign coin, and went into the vaults of the Atlantic banks. The Mint being in Philadelphia, there was no special interest in sending the coin there for transformation into the national pieces. The government transacted its business through the banks, and altogether neglected its duty to "regulate the currency." The specie remaining with the banks, became the basis of an expansion which promoted imports and carried the specie again out of the country. During the past year, the government has demanded specie for its dues according to the spirit of the Constitution, and, as we have seen alone, to the extent of $22,000,000, collected, coined, and circulated it. The effect of this has been to prevent that multiplication of paper credits which inevitably attends the accumulation of the precious metals in the vaults of the banks, and also to prevent the coin of the country from being at the mercy of the financial operations of English houses when pressure overtakes them there.

The capital of a country consists always in the products of labor. In settling a new

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country, such as America was when discovered, the capital it contains is nominal. The broad and fertile lands invite the labor of the husbandman, and the capital required is to furnish him tools and maintain him during the year which must elapse before the earth yields her produce. In the course of that year extra labor will suffice to build a rude house and furnish it sparingly, and when the harvest is in, the husbandman is possessed of two species of capital, viz: his house and furniture, and tools, which are fixed capital, and the surplus of his crops, which is floating capital, or capable of being exchanged for other consumable articles. The surplus crops of all the settlers may be exported, and goods and money returned into the country, by which its floating capital becomes more assorted, if not greater in value. As the country grows rapidly, the aggregate quantity of goods, crops, and money existing in it increases, and these constitute the floating capital. If all the people in the country were actively employed in producing goods and produce, the aggregate amount would soon become prodigious; but a large number are necessarily employed in turning floating capital into fixed capital—that is to say, while employed in building houses, roads, ships, &c., they consume considerable quantities of goods and produce; and where a nation multiplies very rapidly, the demand for roads, dwellings, &c. is so great, as materially to diminish the amount of floating capital that might otherwise be available. The floating capital in the shape of money, gold and silver, which circulates, is necessary to the transaction of a retail business; but all large transfers are by means of individual bills and drafts. In the United States, the chief item of floating capital, viz. food, is exceedingly abundant, because land and labor is abundant, and they need but little previous capital to bring them into operation. To make this food available for the construction of fixed capital, it requires either money or goods to exchange for it with the farmers. Money can be procured only from abroad, and goods are to be manufactured through an outlay of capital. In a young country the amount of capital and skill necessary to the production of goods on a great scale, is somewhat larger than can well be commanded. It is for this reason that it is necessary to import goods. The capital and skill requisite to manufacture goods has accumulated for centuries in Europe, and it is folly for a young country to endeavor to compete with them faster than the general industry can supply the capital. As soon as the amount of capital has become sufficiently large, the importations will cease. This is peculiarly the case with the United States, where the quantity of imported goods consumed per head is annually becoming less—that is to say, in 1800 the value per head was $12; in 1810, $12; in 1820, $8; in 1830, $5; in 1840, $4 80; in 1841, $4 50; in 1847, $5. This includes coffee and tea, which cannot be produced in this country. The reason that the aggregate amount of goods imported has not increased while the population has quadrupled, is that the labor, capital and skill applicable to the manufacture of goods, has rather exceeded the increase of numbers of the population; and last year, when the exigencies of Europe compelled a large demand for the floating capital of America in the shape of food, England was obliged to give all the gold she could spare, and this has become a part of the capital of America. Money, it is obvious, partakes of the character both of a fixed and a floating capital; as respects the internal trade of a country, it is fixed in its character, operating as a mere machine to effect exchanges from one hand to hand to another. It leaves the farmers' hands for goods, and goes back to them for produce. In a national point of view it has the character of floating capital, because like produce or goods, it may be exchanged for foreign products, which is not the case with houses and roads and other fixed capital, which facilitates trade at home. If in case of urgent necessity a nation is without floating capital, it is ruined. Ireland affords an example. It has land and laborers, and lordly estates in abundance, but no floating capital. Hence when the crop fails, starvation results, because how abundant soever may be food, there is nothing wherewith to purchase. England is in a better condition, inasmuch as that it had a floating capital available for the purchase of food. This floating capital was, however, fearfully diminished during the last year, through its transformation into railroad or fixed capital. 570,000 persons, with their dependants, comprising a population of 3,000,000 souls, were consuming floating

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capital while constructing railroads. The failure of the harvest took another large portion of her capital, and the scarcity of raw material caused a great deficiency in the production of other floating capital in the shape of goods; under these circumstances, to buy food, it became necessary to export the specie. The amount of grain and flour imported for ten months, ending with October, was 7,905,419 qrs. of the former, and 7,900,880 cwts. of the latter, equal together to 84,446,096 bushels of grain. This cost £32,000,000, or $150,000,000. The quantity of both goods and produce in England was small, and the specie became a last resource with which to purchase grain. This was of two descriptions, however, viz., that in circulation in the hands of the people, and that in the vaults of the bank, where merchants could readily put their hand upon it. The former description has been estimated at £30,000,000, and the latter was known to be £16,000,000. The money in circulation is not readily got at to export. It must be displaced from circulation by some agent, and driven to reservoirs, before it becomes liable to the operation of commerce. That in the banks is promptly at the command of depositors and bill-holders. Its amount sunk from £16,000,000 to £8,000,000, in October, 1847, and fears were entertained that the balance would be drawn for the purchase of grain, and the bank fail. In this dilemma it was proposed to authorize the issue of £1 notes, in order to displace from circulation as much gold as possible, and by driving it into the bank vaults, supply any further demand for export to corn countries. At this juncture, the credit of the London mercantile houses was used to procure for England an advance of payment on the goods to be made. This is the result of financial operations, turning upon banking credit, although not directly intended by each individual operator for that purpose. During the past year, raw materials, especially cotton, was scarce and high in price. Labor, by the competition of railroads, was also high, and the export of money for corn, raised the value of that article higher than has been known in London for centuries. These three items were adverse to the success of manufacturing operations, and the remedy was self-operating. The dearness of money compelled railways to discharge their hands, causing a diminished demand for labor, and through it for consumable articles. The new crops of raw materials became more abundant, with less ability on the part of stockholders to hold, and these two items, labor and raw material, became cheap. The connections of London with the commercial world, are such that most of the large banking houses have branches in most of the commercial cities of Christendom. In October last, when money was from 8 to 24 per cent. in London, it was cheap elsewhere, for the reason that it had been exported from London to all other quarters. Hence, the branch houses could draw bills at 60 days on their principals, and avail themselves of their credit in many ways to procure money and ship it to London. By this means agents and branch connections in all mercantile concerns expanded their liabilities to the utmost tension of the markets in their respective spheres of action, and the proceeds in gold were shipped without much regard to expense, from every quarter of the compass to the common centre, London. These multitudinous streams flowing from every quarter of Europe and America through large houses, have poured into the bank vaults and raised the "bullion" from £8,000,000 in October, to £12,342,000, January 15. The question now arises whether this money is to be returned to the respective branches, or whether goods in sufficient amounts, simultaneously with diminished purchase of produce, will go forward to reimburse the various cities drawn upon, without sending back the specie.

Money has thus become again cheap in England, and the manufacture of goods under the favorable circumstances of cheap labor, money and raw material is being rapidly resumed. The result is cheap goods, which find a ready market in most directions, making good the money previously kited abroad. It is observable that this mode of drawing specie and shipping it out of the country, is practicable only where the accumulations are large in the bank vaults. Had the government not coined the money and passed it into circulation, it would have remained in large masses in the bank vaults, and these institutions would have pressed loans upon all parties, greatly facilitating the kiting

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operations of the foreign houses to send it out of the country, and the most extensive disasters would inevitably have resulted. On the other hand, while the interior has been enriched through the large sales of produce, whereby $50,000,000 were added to the floating capital of the country, one half in specie, the Atlantic cities alone felt the influence of the kiting operations of the London houses. As these became lessened in their effect at the spring payments, from the interior to the cities, with the increase of business, money became more easy.

The finances of the Federal Government show a most flourishing state of affairs. The quarterly statements for the first six months of the fiscal year, 1848, show results as follows, as compared with the former year:—

UNITED STATES REVENUE AND EXPENDITURE.

	Quarter ending Sept. 30th,		Quarter ending Dec. 31st,		Six months ending Dec. 31st,	
	1846.	1847.	1846.	1847.	1846.	1847.
Customs,	$6,153,826 38	11,106,257 41	3,645,965 00	5,337,874 84	9,799,791 38	16,444,132 25
Lands,	663,702 94	896,883 47	399,545 00	908,965 36	1,063,247 94	1,805,848 83
Miscellan.,	35,011 10	58,333 47	16,000 00	48,500 00	48,011 10	106,833 47
Tot. ordin.,	$6,852,540 42	12,061,474 35	4,061,510 00	6,295,340 20	10,911,050 42	18,356,814 55
Loans,	1,953,950 00	6,915,078 00	7,359,750 00	2,012,450 00	9,313,700 00	8,927,528 00
Tot. means,	$8,806,490 42	18,976,752 35	11,421,260 00	8,307,790 20	20,224,750 42	27,284,342 55
Civil list,	1,644,271 20	1,116,680 40	2,057,887 13	1,614,053 11	3,702,158 33	2,730,733 51
Army,	8,153,659 30	8,717,583 60	6,891,770 13	3,216,517 93	15,045 429 43	11,934,101 53
Oth war dp't,	2,253,264 89	1,853,108 08	396,511 99	91,805 29	2,649,776 88	1,944,931 30
Navy,	1,969,980 76	2,384,805 45	2,099,787 02	2,649,749 15	4,069,767 78	5,034,554 60
Tot. ordin.,	$14,021,176 15	14,072,177 53	11,445,956 27	7,572,125 41	25,467,132 42	21,644,620 94
Redempt'n of Debt,	67,485 12	2,385,329 63	1,062,954 12	919,334 46	1,130,439 24	3,304,664 09
Int. of do.,	....	11,687 49	445,699 47	788,459 11	445,699 47	800,146 60
Total.....	$14,083,661 27	16,469,194 69	12,954,609 86	9,279,918 98	27,043,271 13	25,749,431 63

One of the most gratifying features of this return, is the most triumphant manner in which the revenue tariff is vindicating the soundness of the principles on which it was enacted. The revenue which the country derives from it, has exceeded that of the old tariff by nearly $7,000,000, or at the rate of $14,000,000 per annum. The revenues for the six weeks ending with February 12, are $4,305,517, against $3,000,000 in the same period last year, when they were nearly the same as for the corresponding season of 1846. For several years in succession, the revenue for their quarters has been as follows:—

UNITED STATES REVENUES—TWO QUARTERS ENDING DEC. 31st.

	Customs.	Lands.	Miscellaneous.	Tot. regul'r.	Loans.
1844.....	$14,850.360.....	1,050,000.....	70,500.....	15,970,860.....	——
1845.....	12,999,132.....	1,314,269.....	49,217.....	14,362,618.....	——
1846.....	9,797,791.....	1,063,247.....	48,011.....	10,911,050.....	9,313,700
1847.....	16,444,132.....	1,805,868.....	106,833.....	18,356,814.....	8,927,528

The last half of 1844 was the highest revenue under the tariff of 1842, under the most favorable circumstances viz., a very small importation of goods in 1843, accompanied by a large importation of specie, which produced a great reaction in 1844, but the tariff being oppressive, the amount again fell off. This year, the revenue for that portion of the year is probably greater than ever before; and it is a gratifying result of the great agricultural prosperity of the country, that the revenue of the public lands has also increased 80 per cent. in that half of the year. These revenues are going on to increase in the present year, and the probability is that the estimates of the Secretary will be considerably exceeded; as thus, for the year ending with June, 1848, he estimated the revenues at $34,000,000. They are already $23,000,000, and for the remaining four, and a half months last year, they were $12,689,150. Should the increase progress at the

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same rate as heretofore, they will be $45,000,000 for the year—exceeding the estimates by $10,000,000. It is not probable, however, that the customs revenues will continue so large as they have done, but they are sufficiently prosperous to warrant the hope that the $16,000,000 loan will suffice for the year, more particularly that several millions will be derived from Mexico. The customs at Tampico from May to January, were $291,000, and at Vera Cruz, $1,000,000. There is no doubt but $5,000,000 per annum will be derived from that country.

This amount, either in the shape of stock or Treasury Notes, will raise the national debt to $70,000,000, bearing an interest of probably $4,200,000 per annum. This is seemingly a large amount of debt, and will doubtless be a great burden upon the country; but there is no evil without some good growing out of it. In the present case, this national debt will become, in some degree, the instrument of guiding and restraining that bank mania, which is now so rapidly growing in this Union, notwithstanding the salutary operation of the Independent Treasury. The experience of the past is already thrown to the winds, and banks are rapidly multiplying in all directions. In the state of New-York, new charters are prohibited by the Constitution, and all new banks are required to deposite with the comptroller New-York State Stocks to an amount equal to the sum of the notes they wish to circulate. In our last number we described this operation, showing, that for the year ending with November, 1847, 17 new banks had been put in operation, and these had purchased $13,427,394 of New-York stocks, to become the basis of circulation. In Pennsylvania, the old system of chartering banks prevails, and there are 21 applications before the legislature for new banks, with capitals amounting to $3,412,500, and seven applications from old banks to increase their capitals, by an aggregrate of $1,787,500; also, 11 applications from banks whose charters are expiring, to renew their charters, capitals amounting to $2,221,538. These applications would, if successful, raise the number of banks in the state from 51 to 72, and their capitals from $20,994,724 to $26,194,724. Happily, however, public opinion is strongly in favor of the individual liability clause, so that these applications may all fail. The applications are sufficient to show the temper of the times. It is obvious how vast a benefit it would be to the finances of the state, if this mania was availed of to establish the New-York stock system, compelling all banks, new and old, to buy Pennsylvania stock to secure their circulation. A demand for some $7,000,000 of Pennsylvania stocks would immediately spring up, drawing the stock into the state, and preventing an export of $500,000, as interest to foreigners. Ohio has three plans of banking, viz.: old chartered banks, still in existence; independent banks, which are required to deposite Ohio stock for their circulation; and State bank branches, which are a totally irresponsible and untractable class of "wild cat" banks. There never was, probably, so absurd a trick put upon the people as to enact laws, which required security for the circulation of one class of banks, and permitted another class to multiply at pleasure without security. The multiplication of banks in Ohio has been as follows, during the year:

	January, 1847.			January, 1848.			Increase.		
	No.	Circulat'n.	Stock dep.	No.	Circulat'n.	Stock dep.	No.	Circulat'n.	St'k dep.
Old Banks....	8	$2,433,791	none.	8	$2,863,541	none.	0	$429,750	—
Independent..	9	612,465	671,893	10	784.062	920,743	1	171,597	248,850
State branch's,	17	2,655,346	294,342	31	5,074,075	496,797	14	2,418,719	202,455
Total.....	34	$5,701,602	966 235	49	$8,721,678	1,417,540	15	$3,020,066	451,305

Here is an increase of 15 banks, and $3,020,066 of circulation. Had that portion of law, authorizing the State branches to issue notes comparatively without security, not been authorized, Ohio would now, by the operation of the desire for banks, be like New-York, drawing her stock within the state, raising its value, and keeping the interest at home, while her note-holders would be comparatively well-secured from loss. The legislature of Tennessee has also a general banking law under consideration, to require Tennessee or United States bonds as security for circulating notes. New-Jersey is also

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considering the same plan; but New-Jersey has no debt, and therefore requires United States stock. In many other states the same disposition is apparent; and when we reflect that in New-York no charters can be granted or renewed; that the old ones expire in a few years, during which the state debt will be paid off; by which $30,000,000 of state stock at least, will be required for banking purposes—$4,000,000 the present year; that Ohio is forming a sinking fund for the discharge of her debt; that all the states, except Tennessee, are in a train of liquidation, we may estimate how light will a quantity of even $100,000,000 United States stock be upon the market. This stock must be based upon the floating capital of the country; but that capital, as we have seen, increased in the last year alone $50,000,000, from increased foreign demand for breadstuffs. Within the two years, ending with 1848, New-York will have withdrawn from the market $10,000,000 of stock, viz., $6,000,000 paid off, and $4,000,000 bought by banks. This withdrawal leaves room for an equal amount of United States stock in the ordinary market, inasmuch as that the banking law creates a new market. When $1,000 of stock is bought by a banker he issues $1,000 of notes, and because then, $1,000 of notes are held by probably 100 different people, who could never by any chance hold the stock directly, he holds it for them. In fact, the bank notes are the *debentures* of the state stock held by the comptroller. By this means, instead of the holding of stock being confined to capitalists, it is transferred to the community, who hold it through the circulating medium. This makes it evident how exceedingly short-sighted are those states having large debts, that neglect to avail themselves of this means of palliating the evil. It is evident that when any stock is thus withdrawn from the usual markets, room is left for government stock. Without this mode of requiring security the present banking mania will run wild, and lead to revulsion more speedily than with it. Hence the evil of a national debt may be made the instrument of guiding and restraining the evil now spreading. Tennessee, as we have said, is proposing an increase of her debt, although she was a defaulter in the Jan'y. interest due. A bill has passed the senate of that state, appropriating state stock to rail-roads, in spite of all the warning afforded in the example of other states, that have been injured by this ruinous system.

Michigan, which has so long been under a cloud, is rapidly getting into an enviable position. The able report of D. V. Bell, Esq., Auditor General of the state, shows a flourishing condition of the state finances. The revenues of the state, for 1845, were $131,695 63; for 1846. $159,352 75, and for 1847, $185,134 46. For the year 1847, the revenues were.....$185,134 46

Disbursements	165,306 05
Surplus	$19,828 41
On hand December, 1846	42,476 00
" " 1837	$62,304 45

The valuation of the taxable property in the several counties, $27,617,240, and the state tax, at 2½ mills, $69,043 10. The county taxes are $150,000, and township taxes, $370,000—making over $600,000 of taxes paid annually. The debt of the state is now $2,290,768, including $1,965,599 of internal improvement fund debt, as follows;

MICHIGAN STATE DEBT.

	Bonds.	Interest.	Total.
Full paid Bonds, $1,387,000 outstanding	$262,000 00	$57,587 20	$319,587 20
Part " " 3,614,000 "	1,145,537 74	524,906 31	1,670,444 05
Morris Canal assets	....	30,035 95	30,035 95
Total	$1,407,537 74	$612,529 46	$2,020,067 20
Deduct damages and interest on Morris Canal unpaid instalments			102,934 86
Total foreign debt			$1,917,132 34

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	Bonds.	Interest.	Total.
Total foreign debt, bro't forw'd			$1,917,132 34
Palmyra Railroad	$10,000 00	$4,678 32	14,678 32
Improvement warrants	273,816 79	91,272 26	365,089 05
Treasury Notes	1,726 00	500 00	2,226 00
Land warrants, Annuity, &c			61,473 70
Total debt			$2,390,599 51
Deduct balance of bonds due by instalments from S. R Road			425,000 00
Net debt of the State			$1,965,599 51

The amount of state indebtedness, paid in on account of the Central Railroad, is $2,027,322; on the Southern, $88,500.

GOSSIP OF THE MONTH.

POLITICAL GOSSIP.

The Presidential Campaign has fairly opened in New-York. Taylor meetings have already assembled, but with doubtful results. Confusion and disorder has been the main feature, not only here but in other states, where people of *no party* were called on to come and testify their approbation of Gen. Taylor's nomination. Can anything well be more absurd, and is there such a person in this country who does not sympathize with one or the other party? What is party but a combination to carry out principles? and to belong to no party is to have no principles. This seems to be the essence of the proposed "Taylor party." But how many men in the United States are there of this description? Not enough, we should think, to compose General Taylor's military staff. We cannot believe that a man of the intelligence of Gen. Taylor, should have been all his long life ignorant and indifferent to the great principles and measures which divide parties in this country; and if such be the case, then we only wonder that a man of his honesty of character should permit himself to be put forward for the exalted office of the Presidency, conscious of his utter incompetency to fill it. But it is impossible to suppose that Gen. Taylor has not. ere this, come to some political convictions, either favoring whig or democratic policy; and why not avow them in the straight-forward, manly manner which we thought characteristic of his open and lofty nature? It strikes us this is the course he would have pursued had he followed his own inspirations; but the false-hearted prudence, the jesuitical double-dealing of shallow-minded political friends have interfered, and clapping their hands on the old soldier's mouth, they have only allowed him thus far to whistle through their fingers some jingling airs, accompanied with a burden of their own, about no party principles. It was well-remarked by a voice at the late Taylor meeting, "that the people of the United States were too intelligent to elect any man who declared himself without principles." Does Gen. Taylor pay his countrymen the bad compliment of supposing they are nothing more than a parcel of over-grown children, who will neglect their serious interests to run after a soldier's coat and a band of music? His military skill the whole nation admires, but it is not for that they ever dreamt of making him President. This is his mistake. They thought they recognized in his conduct and language the sterling qualities of a great, and an honest man, and such an one they are in quest of for the highest office in their gift. These are the chief requirements, and equally desired by the people of both parties. But, as conscientious men, before their votes were thrown,

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they desired to know what were his ideas of policy. Not that they cared much whether he declared himself whig or democrat, but out of respect to themselves they felt it necessary to know his views of government; else they might as well elect a man both deaf and dumb, or an idiot outright. What has been General Taylor's course, what his reply to this reasonable expectation? The same tiresome, not to say evasive rejoinder, that he had no ideas, views, or principles of policy. If he persists in this mummy-like silence, without setting up for an oracle, we predict he will never be elected President of the United States. Already his popularity has greatly suffered by conduct so indiscreet and equivocal, and so opposite to his previous behavior in field or council. The possibility of his election, the offer of candidateship seems to have bewildered him; but, perhaps, he may still recover his senses, and speak his mind. His rival, Mr. Clay, has run, as usual, into the opposite extreme of saying too much. His Lexington speech was unnecessary, and has seriously damaged his small remaining chance with his own party. There is still a deal of affected enthusiasm in his favor, but it is of that spurious sort which is born of a noisy braying of trumpets. Clay processions are sure to be followed by a crowd, since the outlay for music is always reckless. The democratic party has as yet made no decided manifestation in the shape of public meetings. Their intestine difficulties will be adjourned over to the Baltimore Convention, when it is not improbable, after a good deal of undignified squabbling, they will decide on a candidate. But who he, the great unknown will be, would puzzle us considerably to tell. Our rambling reflections of last month, to the effect of the election being decided in the House of Representatives, are still unshaken, and once there, intrigue will do its work, and give us a President of compromise. And why should he not do as well as another.

Mr. Van Buren.—The ex-President has taken up his winter quarters in our noble city, and his apartments at Jullien's Hotel have been from the first thronged with visitors of both parties and all classes. It is beyond question that no public man in the country is more personally popular than Mr. Van Buren. His knowledge of the world, his easy, unaffected manners, and ready conversational powers, conciliate all who approach him, and were it possible for him to canvass the country in person, his re-election would be certain. Since his residence here the tenor of his life has been singularly quiet and serene; giving his time far more to the agreeable distractions to be found in the hospitalities of our citizens, which have been literally showered on him, than to the tormenting anxieties of political intrigues. His active mind cannot, however, be indifferent to the great questions of the day, and when occasion offers he will doubtless not hesitate to gratify public curiosity by the expression of his enlightened views on matters of national import. Meanwhile his political and personal friends, all over the country, will be glad to hear of his vigorous health, which seems as able to resist any amount of mental or physical exertion, as at any period of his earlier life.

Whig Tactics.—In Congress we have little to record for the past month. The Senate is still engaged in its laborious trifling, wearing out the patience of the country, and damaging its own consideration by delaying the passage of the ten regiment bill. Such conduct is bad in policy and totally inconsistent with the practice of all other parliamentary bodies. We are engaged in war, and the government, who alone is best informed of the necessities of our situation, demands the immediate concurrence of Congress in measures where the safety and honor of the country are involved. What is the course, under these urgent circumstances, of the whig opposition in the Senate? Indifferent to the loss and dangers attendant on delay, where much human life may be needlessly sacrificed, and unmindful of the terrible responsibility incurred, they recklessly abandon themselves to fruitless discussion of a policy they were the first to approve, and consume already months in a tiresome and garrulous repetition of thread-bare ideas, irreconcilable arguments and contradictory declarations. They are not opposed to the

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war, because they think it popular with the country; but they refuse, or delay the means to carry it on, because they hope thereby to embarrass the administration. What pitiable shuffling, where patriotism is drowned in party selfishness, and the interests of the country trampled under foot for a party triumph! It is a policy as detestable as it is shallow. Should misfortune befall us for the want of the relief and aid demanded by the government, what would be the result for those thoughtless and unprincipled men who oppose every obstacle that chicanery and blind obstinacy can invent? The contempt and indignation of the whole country would be their portion; the party to which they belong, and which they dishonor, would have to accuse them of misleading them into a position they would scorn to hold, and which has only compromised their motives and sullied their character. The whig leaders in the Senate are unquestionably justified—who denies it?—to discuss and condemn the measures of the administration, but not at the cost of the honor and safety of the country. They should forget at such times that they are whigs, and remember that they are Americans, and equally concerned in the dignity and glory of the nation. The ten regiment bill should have been hurried through every requisite formality, and passed immediately. Having promptly transacted necessary business, they might then have indulged themselves in talk. The whig party in the House have conducted themselves much after the same fashion. Supplies of money were demanded, and fearful to assume the onus of refusing them, they have resorted to the trick of voting a grant under such conditions as to make it unavailable. It would be a waste of words to employ epithets to characterize such petty expedients to elude public opinion, and gratify party rancor. They are not more disreputable than silly, and we wonder that government does not boldly adopt a course that would cover them with confusion. Let the administration declare its incapacity to maintain our position in Mexico for want of men and money, and publish, in corroboration, the statements of the commander-in-chief, of the dangers that environ him from the want of adequate support.

Treaty with Mexico.—"The cry is still they come." Nearly every day's mail from the south brings rumors and *on dits* of some final settlement of our difficulties with Mexico, in the shape of a pacific compromise. Nothing can well be more absurd, it strikes us, than to look for any early adjustment of this tangled quarrel by such means. What power exists in Mexico at this moment that may arrogate to itself the right to speak and act in the nation's name, and what guarantee can possibly be given which would insure the fulfilment of a treaty ten days after its ratification? Besides, though the American mind is not made up fully in favor of annexation, yet it leans that way beyond a doubt. The object is first to ascertain some practicable mode of effecting it' next the probable results, pecuniary and political. Time is requisite to gather information, settle doubts, and form opinions; meanwhile the actual position of things is preferred if means can be found on the spot to defray the expenses of occupation. The resources of the country are fully adequate, and it will be strange that, with judicious means and a firm administration, they are not made available. Meanwhile the friends of humanity are satisfied that peace prevails between the belligerents, with no immediate prospect of its being seriously disturbed; and Mexico, torn and degraded by so many years of civil war and brutal oppression, begins to breathe more freely, and give signs of improvement and healthy re-animation, that must be consoling to her well-wishers at home and abroad. Whatever may be the nature of the treaty proposed, it is destined to become the subject of prolonged discussion here, and will hardly be decided on by the present administration. At least this is most certain, that the longer the *statu quo* is maintained the better for Mexico, and none the worse for us, barring the expense which, however, will daily diminish; and the longer, too, the connection lasts, the more difficult and unwelcome will be a separation. Whether this will soon come to pass nobody can now say; and the mind of the nation is totally absorbed in contemplating a

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subject so new, profound, and strange. Time and reflection—these are the only elements that can bring about a safe and final decision.

P. S. Since the above was written, a treaty has at last arrived, but without affecting obtuseness, we cannot see how that will alter or improve the present situation of things. The entire acceptance of the treaty by us, will not prevent its violation the very first chance that offers success to Santa Anna, or some other aspiring chief. Dangers from this source will, however, diminish by our troops remaining in Mexico, as provided; and though the treaty now offered cannot be regarded in any light as the work of the nation, yet good may come of it. Our continued occupation of the country will thus be legalized, and expenses will decrease. Both desirable objects; and therefore we rejoice at this new turn of our prospects.

The Army.—The unfortunate disputes which have occasioned so much sorrow and surprise at home between the most distinguished officers of our army in Mexico has at last attracted attention abroad, and various comments have been made by writers always glad of an opportunity to revile us, which, however painful to our pride, has yet the justification of fact. It is a matter of real congratulation to all parties, that the administration has decided on a judicial investigation of these unpleasant difficulties, that the truth may be known, and the blame lodged where it properly belongs. It would be indelicate, as uncalled-for, in us to express under the circumstances any opinion, which would be without value, as unsustained by any information that can be relied on. It has been intimated in some quarters, that Gen. Scott had called for a court of inquiry. Without attaching faith to this rumor, we will not venture to deny what is so much in harmony with the upright and fearless character of this remarkable man. Gen. Scott throughout his splendid career has never under any circumstances manifested the smallest disposition to shrink from the responsibility of his acts. Right or wrong he was always willing to meet it. His motives have ever been found pure and elevated, and his judgment has rarely indeed been at fault. In his present lofty position, environed by dangers of every sort; exposed to ceaseless and vexatious demands on every side on his time and attention; discharging the onerous duties of commander-in-chief, and at the same time called on to fulfil the important functions of a civil administrator in a sphere entirely new to him, and thwarted and deceived at every step by adversaries fierce as they are treacherous, he would be something more than man, and just less than angel, if he fell into no indiscretion, committed no hasty act, or uttered no rash word. That he has had deep annoyance to struggle with, galling provocations to endure, no one can doubt who reflects a moment on the fiery ordeal he has so lately and gloriously gone through. We deem it superfluous to utter a sentence which may be construed into anticipatory vindication of this gallant commander. His greatness and his errors, should any such be found, will both bear the test of scrutiny, and while one will fade before examination, the other will grow more radiant under the dazzled eyes of his admiring countrymen. We are persuaded, from the numerous anecdotes that have reached us from impartial witnesses, that the various acts of assumption of undue authority alleged against General Scott, will be found fully justified by circumstances, which left no choice, and when hesitation would have been attended with consequences always serious, and often fatal. As yet nothing is known truly or fully of the war in Mexico, save its glorious results. When the details of the story are told; when the measures are revealed, and the machinery, as it were, exposed to the inquisitive gaze of the bewildered spectator, then will new ideas be received, and new opinions formed of these grand events, which have been the wonder of the world; and then only will the real merits and exact services of the actors therein be ascertained and finally pronounced on.

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FOREIGN GOSSIP.

England.—The last news from England is satisfactory in a commercial point of view. The panic is at an end, and trade, driven from its natural bed by fierce tornadoes, seems tending towards its natural channels, but it will flow over a mass of wrecks made up of some of the proudest houses in England. Parliament had temporarily adjourned; meanwhile the public mind was absorbed in the reflection of various subjects of moment to be brought forward for discussion on its re-assembling. The most prominent amongst these was the vital question of the West-India laborers, involving the consideration of the slave emancipation, which it is no longer denied has been the entire ruin of these formerly valuable possessions of the British crown. "Every successive day," says an English journalist, "brings forth some striking statements, all tending to confirm the opinions we have expressed, that some effective measure of relief should be speedily resolved upon in order to retain these Islands, once deemed of such priceless value, from absolute ruin." The re-action in public opinion in England on this agitated question of slavery, is without a parallel in modern annals. The public begin to perceive that their charitable sympathies have been grossly played on by zealous impostors, who sought notoriety rather than to mitigate the condition of the blacks, whose real situation they never occupied themselves at all about. The abolition excitement in this country is a spurious imitation of this English movement, in the abused name of philanthropy, and it will not fail to receive a check in the confusion which has so suddenly and completely overtaken their prototypes in Exeter-Hall. We shall return to this subject.

Italy.—This noble country is a prey to intense political excitement. Milan has lately been the scene of terrible riots, where the brutality of Austrian rule displayed itself in unprovoked excesses on its unoffending inhabitants, who were slaughtered in cold blood in the streets and around their fire-sides. Sardinia is making progress in liberal reforms under the enlightened guidance of her sensible monarch, Charles Albert. The glorious Pope still maintains his position of progress, in the face of threats and persuasions from the enemies of the people, which are alike treated with indifference. Sicily has been the theatre of an enthusiastic effort to throw off the yoke of the House of Naples. Thus far it had been eminently successful, and may God avenge the right, and support the oppressed. Symptoms are breaking out on every side, of a determined effort on the part of the Italian states to achieve their liberties. If they were fairly to unite their forces, and co-operate heartily in this sacred enterprize, their success would be certain and complete. A spirit of resistance has been awakened which cannot be quelled by force, and tyrants have no other arguments. The day of redemption is drawing nigh.

France.—More news of the monstrous corruption of the French government, which brought to bay by facts that are incontrovertible, takes refuge in the striking declaration that the offences alleged, sale of offices, are no novelties introduced by them, but venerable abuses, of long standing, and sanctioned by great names. These mal-practices have been brought home to the door of the prime minister himself, and have aided, with other irregularities, to sink him still deeper in public estimation. But he shows no signs yet of yielding to the storm which is gathering, and which he would be wise to retreat from before it breaks on his devoted head in all its fury. These disgraceful intrigues underwent discussion in the Chamber of Deputies, and although denial was not attempted, and proof was as clear as day, yet the servile majority of the minister, "bought and sold," every man of them, obeyed his signal, and voted him entire immunity. We quote from the *National* newspaper, its sarcastic comments on these proceedings of the ministerial pack, whose scent has grown so dull when the game was clear in sight:

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"The 225 satisfied members presented themselves yesterday, as they did last year, to amnesty the stigmatized ministry. Last year, after an accusation, proved to be true, of 100,000fr. extorted for a theatrical privilege, there were 225 satisfied! This year, after a complicity in the sale of finance-situations had been demonstrated to the world, there were 225 confiding Deputies! Let France hold up her head with pride! Morality, justice and truth, have triumphed in the Chamber. All that this intelligent and powerful country contains of instincts and greatness, of elevated sentiments, of sublime inspirations, are embodied in M. Guizot, whom the 225 satisfied members bear in triumph on his shield! The cabinet may clap its hands; we shall break ours to pieces in joining in the movement; if it has songs, we have hymns; if its heart overflows, ours is inundated! 'Long live the Minister Curtius!' 'Long live the immortal phalanx of the 225!' Let the same crown encircle their foreheads! Let the same rays of light illumine their august faces! Let them march together united and triumphant, like those celestial hosts whose symbolical nudity is adorned rather than covered, by the unbound zones of modesty and virtue! We bless the heaven of our country, for having given us this rare and marvellous spectacle. Honor to M. Guizot, who took into his speculations the affair Petit! Honor to the 225 who feel confidence!"

This ridicule is cutting all the more that it is so richly merited. Foreign countries may easily perceive with half an eye where public opinion is drifting in France, and it is certainly not in the direction of the present dynasty.

Another incident brought over by the last steamer, is a debate in the Chamber of Peers, when the Count Montalembert gave expression to his views on the policy of the government in Switzerland. His speech attracted universal attention in Paris, for it conveyed principles and manifested sympathies for the good old cause of regal and clerical tyranny, which it was hardly to be supposed that any man in France was fool, or bigoted enough to entertain. The opposition papers are delighted with this confirmation of all they have charged on the government parts. The whole country is really astonished to find there are men so lost to sense and past history, as to vindicate a re-action, which the French people en masse would rise to forbid. It is a striking and disgusting fact that the recreant Peers, which are the offspring of the Revolution, are the first to offer themselves for the unnatural crime of strangling and destroying it. Happily they are as impotent as they are treacherous. We quote from a French paper these judicious and discriminating remarks:

"It was reserved for M. de Montalembert to excite amongst his colleagues one of the violent emotions against which we believed them guaranteed. He may be proud of his success, which exceeds all that he could have hoped for. CNo one had before moved to such a point the desks, paper-cutters, and breasts of the hamber of Peers. It was not mere agitation, but transport; cries, bravos, cheers accompanied the course of the young orator. Himself highly excited, he darted forth to every bench currents of electricity which thrilled through every bosom. We do not regret this enthusiasm; it is important to the whole of France that the Ministry and the Chamber of Peers should have publicly, and with burning fervour, have joined in the words, ideas, imprecations, and hopes of the vanquished Jesuit! We have to-day the true profession of faith of the Luxembourg; if we had been so imprudent as to proclaim it, the Chamber would have summoned us to its bar for insulting it. It has proclaimed it of its own accord; there are moments when the mind, freed from the bonds which restrain it, lets out all its secrets; passion then discovers what prudence would have concealed, and the thought is laid bare even to its inmost recesses. Thanks to M. de Montalembert, the Chamber of Peers yesterday had one of these moments."

The following review of the political condition of France, by an English writer, we esteem so appropriate, discriminating and important, that we gladly transcribe it as more valuable than anything we could write. Inasmuch that no one will suspect an Englishman of siding under any circumstances, too strongly with French liberals; though an American, however guarded in his views, and cautious in his expressions, would be suspected of undue bias towards democratic tenderness. We commend the following to careful perusal.

"The progress of moderate and constitutional reform in France, has a much more intimate connection with the peace of Europe, than is commonly understood or acknowledged in this country. Our people are naturally too prone to take ultra-English and insular views of what goes on abroad. Though their intercourse with foreigners has been extraordinarily frequent and familiar, the great mass, both of those who travel and

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of those who do not, are still nearly as far as ever from realizing the vast difference which exists between their own habits of thought and modes of action, and those which are prevalent upon the continent. Theoretically, they may admit that the whole fabric of society abroad is fundamentally different from ours. But they forget it, whenever they come practically to apply the fact, in forming a judgment of the political agitations and popular commotions, to which continental grievances give rise. The consequences of this wrong-headed, one-sided way of looking at public affairs, are sufficiently lamentable in themselves, without being aggravated by the assiduity with which certain journalists, who fancy they understand John Bull's weak side, labor to confirm him in his most foolish and inveterate prejudices. Perhaps, after all, it is not so much the extravagance of John Bull's insular dogmas, as the haste and indiscriminacy with which he rushes to the application of them, that puts him in the wrong, or leaves him in the lurch, when he attempts to form a judgment of continental affairs. One of his best-founded and most laudable aversions is to people who make a great fuss, without having anything very pressing and important to make a fuss about. Great pains are taking, just at present, to persuade him that most of the political movements that have begun to excite notice on the continent are precisely of this class. French conservatism is talked of as if it had, in antiquity, wealth, influence, integrity, independence, or any of the other elements of political power, some close analogy with all or any of the classes in this country, who, though divided into various, and sometimes hostile sections, vindicate for themselves with equal earnestness the title and functions of conservatives. We wish most heartily that what calls itself conservatism in France, had any one valid claim to be paid this kind of compliment. The great want of French society, and of the French constitution, is, in our opinion, an aristocracy, rooted as our own is in the confidence and affections of the people, and possessed of sufficient strength and stability to counterbalance the too great preponderance of the monarchial and executive elements in the constitution, which makes the charter, in many instances, little better than a specious nullity. But none know better than the French aristocracy itself, what a creation of caprice and circumstance it is; and how powerless it would be, in case of difficulty, to contend against either the monarchic or democratic influences to which it ought to be a counterpoise. Whatever semblance of dignity and influence the legislative portion of it has acquired, is owing to the harmony which has naturally existed between the king's wishes and those of a Chamber selected entirely by himself. What else, indeed, could a Chamber so constituted do, but register submissively the edicts of the sovereign, and re-echo, in honeyed accents, the common-places of his ministers? Things go on that way, with a smoothness that would be delightful, if it could but be perpetual. But suppose that by one of those strong contrasts, which delights to manifest itself between kings and their successors, a warlike monarch were hereafter seated on the throne of France, or even that a warlike minister succeeded in gaining the confidence of a sovereign not professedly warlike himself. Or suppose a dreamer, a radical reformer like Joseph II., to succeed to the chair of St. Louis, prepared to test, by actual experiment, the dreams of St. Simon and Fourier. Suppose that by vicissitudes, which it is impossible to foresee, a soldier of fortune were again exalted to play the part, which Napoleon refused to play, of a constitutional emperor.

"Suppose any of the contingencies realized, which are certainly less improbable in France than they would be in most other countries, what check could the French aristocracy or peerage, or Conservatism—call it by whatever name, and select whatever of its forms you will—impose upon the ambition, frenzy, or folly of any sovereign so minded? Or what support and protection could they afford to a weak and vacillating king, against the threats and violence of an overbearing democracy? It is all very fine for French Conservatism to have attained a certain respectable position, by seeming to be a buttress to the self-supported energies of a man like Louis Philippe. But a weak, inexperienced king in Louis Philippe's place, and what would this boasted bulwark be worth? A hen-coop might as well pretend to be the foundation of a tower. Now, the greater the misfortunes of the Upper Chamber of the French Legislature being in this state of constitutional collapse, the greater the necessity of making the Lower Chamber an adequate and comprehensive representation of the national will, and of all the interests which, in a healthy condition of society, would go to make up that will. Under the present electoral system, never a good one, and now perverted by long abuses, it is impossible that this should be the case. The present Chamber of Deputies is composed in great part of the indirect nominees, as the Peers are the direct nominees, of the government. It is useful and convenient, accordingly, as an instrument in the hands of ministers. It is powerless and contemptible, as a check on him, or on them, whenever a check is required. This is a system, a political machine, which cannot last much longer than the life of the man who contrived and has hitherto guided it. The only choice is between the timely and peaceful, or untimely and violent, alteration of such a system—between reform and revolution, in fact. But let us not, because we express our conviction of the necessity of electoral reform in France, be misrepresented even by those who know us least, or suspected of having the slightest wish to encourage the wild dreams in which the radical and republican factions

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delight to indulge. We are no advocates for France, any more than for England, of universal suffrage, or of any of the other crotchets which have been toasted at the Reform banquets. It is as a timely preventive against the spread of such epidemics, and against their ultimate consequences—a French republic and a European war—that we wish to see, before it is too late, a moderate and constitutional reform effected in that country. It is not the fact of two-thirds of the French deputies being Conservatives, or supporters of a not very scrupulous Ministry, that appears to us lamentable; but the motives of the Conservatism of many of them, and the defective title of them all to represent, adequately and effectively, the honesty and intelligence of the French people. Recognizing the impossibility of creating in France the same description of guarantees for peace, order and constitutional liberty that exist in England, we wish to see such substitutes provided as the social condition of the French people admits of. We see no benefit, immediate or prospective, to be derived, from the constant violation of a people's sense of justice and sense of honor. We say, if France is to be, what as yet she has scantily been, really and practically a constitutional country, let her electoral system, within whatever limits, be a fair one, and fairly administered. Let as large a proportion as possible of the deputies be the acknowledged, undeniable representatives of the property and intelligence of the country; and we are convinced that the most ultra factions in France will submit to its authority, and recognize in it, what all will find in it, a power competent to check the folly, control the violence, and punish the injustice both of ultra Monarchists and ultra Democrats. Opinions like these might in other countries be looked upon as a gross political heresy. Support at home or abroad, to obtain fair play for constitutional tendencies like these, may in other countries be misrepresented as a frightful and ferocious patronage of radicalism and revolution. But those who libel such a policy in England, have assuredly mistaken their vocation. It has long been the characteristic of this country, and long may it remain so, that it has contained a political party who have known how to discover, to champion, and to adhere to, a practicable medium between the abuse of power and the abuse of liberty: between tyranny and anarchy; between Toryism, however diluted and disguised, and Radicalism, however rampant and refractory. It would be inconsistent with our position, as faithful representatives of that middle party, to be able to discern any calamity in the naturalization of such opinions, and of the temperate advocacy of them in Italy, in Germany, or in France. If the peace of Europe be in danger—if war be imminent—the danger arises now, as it did in the last war, not from gradual and constitutional reforms, not from Whig policy, whether English or continental, but from the blindness of Toryism in England, which mistook names for things, and could not discern how unworthy its seeming counterparts on the Continent were of the patronage and support which it recklessly lavished upon them. We trust the same costly mistake will never be made a second time.

THEATRICAL GOSSIP.

Italian Opera.—There are two events of some importance to record since our last—the *debut* of a new artiste, and the production of a new Opera. Rumor had dwelt with great emphasis on the startling powers of *la Signora Patti* and expectation was on the tiptoe. She appeared in Romeo and the town was there to greet her. Accustomed as we had been to prima donnas of youth and beauty, some disappointment was felt at her évident maturity. Still her face was good, her person though small, yet elegant, and her dressing superb. Her first scene charmed all with her consummate acting, while her voice, though diminished in register, was still clear, sweet and effective. The opera, however, went off tamely. The tenor sang and played so wretchedly as to disgust the audience, and his opening air so long and tiresome was to put everybody in an ill-humor. The last scene of Mad. Patti fell far below her previous efforts—her acting was ungraceful—her dying awkward to the last degree. She picked out a "soft" place with great deliberation, and laid her down with nicest care. This dampened the house at an unfortunate moment, and achieved the ruin of the opera, in spite of its various merits. Mad. Patti was so dispirited by failing to make the impression she anticipated, that she withdrew to our regret after the second performance, and we fear we shall not see her again. This is a curious feature connected with our opera house; the artistes, one and all, seem to revel in the most complete independence, and give way without fear of consequences to pique, or caprice, and sing or refuse, just as the humor suits them. The only wonder is that an establishment thus proved to be without direction, and at the rude mercy of the

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lively tempers of its Italian inmates, manages to get along at all. It is blind luck that it is not half the time shut up; but the bad results of such unseemly disorganization is evident in much confusion, and in the ill-treatment of those artistes, whose respect for themselves and the public, induce them to submit to inconsiderate abuses of their powers without complaint or appeal. We consider it gross injustice to compel such singers as Truffi and Beneditti to appear night after night, even when suffering under indisposition, and wear out their exhausted organs, when others of the troupe even better paid, are allowed from mere caprice to go free. La Signora Patti was engaged for a month at $800, sings twice and refuses to appear again. Mlle. Truffi is paid $600 a month, and is obliged to take all the leading parts, and sing every night, week after week, without rest or relief. Mlle. Barilli is paid $500 a month, engaged for the whole season, and has not appeared over four or five times in all.

It is true the public prefer Truffi and abandon the others; but if the management was not closely related to the unpopular artistes we should hear of engagements compromised, or rather we should have never heard of them at all. Our public has been impudently trifled with in this matter, and the troupe made up of "lame ducks," in Wall-street phrase, for the benefit of parties concerned. We wonder at the patience of Truffi. After singing three times in one week, she was forced to appear on a "gala night" lately, and work her way through portions of three most difficult and most arduous parts. This for the benefit of the managers' credit, and without any advantage to her. The next thing she will fall ill from over-exertion, and the sooner it happens, the less serious it will be. The next season we shall have another management and a better system, when one artiste is not forced for under-pay to do all the labor, whilst the rest pocket enormous salaries for doing nothing at all; and next season, too, we hope the public will not allow an artiste so distinguished and popular as Mad. Pico, to be put down by a miserable cabal, like that originated by the present managers, who, from private motives, prevented her engagement, and thrust upon the public an inferior artiste. It is the determination of the town that Mad. Pico shall be engaged next year, and her rentreè will make her some amends for the injustice she has suffered. We have barely time to record the performance of *il Giuramento*, an opera of Mercadanti's, which has been well-received. The music is original, and displays the resources of a great master, constant invention, and wonderful combinations, but we are bold to confess it is not to our taste. It is French in its instrumentation; too German in science; and not Italian enough in melody. There are other faults to our mind; but what have our individual objections to do with the public judgment, which has pronounced in its favor. Its style is wholly new, and therefore its selection in that respect has been wisely made. Truffi, Beneditti, Beneventano, all covered themselves with glory, and sang and played to admiration. Each of them rose in consideration by their efforts in this opera, so trying to their powers, and praise is universal. We cannot forbear copying a few lines from the criticism of Baron Trobriand, in the "Courier des Etats Unis," written with complete knowledge of the subject, perfect taste, and extreme impartiality:

"But Truffi is there, and whatever she touches becomes gold. She exalts her rôle, transforms it, adjusts it to her own grand proportions of tragedian, and in the flashing of her eyes, the knitting of her brows, the bitter smile of her lips, the inspirations of the poet are brought vividly to life. Did you see her listening to the passionate avowal of *Vicardo* for another, and feel how every word struck her to the heart like the blow of a poniard? Did you hear her provoke death, set it at defiance by her threats, by a falsehood sublime as desperate; and when her rival is saved by her, and for him, did you watch her dying in the arms of those made happy by the sacrifice of her life, and observe the struggling of nature in spite of will, in that gesture of agony which caught at the air, her hands open, her fingers contracted? Mdlle. Truffi is so great an actress as to make us forget the compliments due her as a singer."

Bowery Theatre.—The only other theatrical incident of the month is the appearance of that universal favorite Mrs. Shaw on the boards of this popular resort. The mere announcement of her name never fails to crowd the theatre, which is conclusive proof of

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her extraordinary merits and the taste of the public. Though in no wise necessary to her attraction, which never flags, she has appeared in several new parts. We have only time to our regret to notice one in which she has displayed such elevation, and versatility of genius as to startle and delight her oldest admirers. Her performance of Queen Catharine in Henry Eighth stamps her a tragic actress of the highest rank. Her conception of the character is so exalted; her developement, shade by shade, of all its varied phases so faithful, natural and affecting; the plaintive remonstrances of outraged affections; the haughty indignation of wounded pride; the bitterness of grief, the prostration of despair; these strong emotions, these terrible passions, were exhibited all in turn with such fearful truth as to thrill the heart and unloose "the fruitful river of the eye." The steadfast gaze and unbroken attention of her vast audience told with what exquisite skill the subtle actress played on those chords which vibrate in every breast, and "make all mankind kin." What a performance, and what a triumph.

NOTICES OF NEW BOOKS.

History of the Girondists; or, Personal Memoirs of the Patriots of the French Revolution, from unpublished sources. By Alphonse de Lamartine. In three volumes—Volume 2. Harper Brothers.

It is wonderful, after all that has been written on the French Revolution, how much of interest is annually elicited from the pens of eminent Frenchmen on the subject. The plan of Lamartine seems to have been to select the most stirring and brilliant passages of that great political revulsion, and present them to his readers in a series of heart stirring tableaux. The actors in that great drama are, as it were, brought before the public on a pedestal exposed to a brilliant and searching light, which discovers alike their private biographies as well as the just proportion of their influence upon the great public pageant. Although the work may not add to our historical information upon this subject, yet it is a very agreeable and powerful aid in forming a juster judgment of scenes with which we are already acquainted. A great deal of new material in the way of illustrative anecdote is introduced, which adds much to the attraction of this highly valuable work. One would imagine, however, that in the history of a party brought into being in the turmoil of the French Revolution, that it would be difficult, even for a European courtier, to find material for attack on the United States. The poet-historian, however, has succeeded in this in several instances. As for example, in the sketch of Thomas Paine, the author of The Age of Reason. That person was born in Norfolk, England, and while he sojourned in this country, contributed powerfully by his writings to the success of the American Revolution. He then went back to England and greatly promoted the cause of humanity by his controversy with Edmund Burke. He then became in Paris a member of the Constituent Assembly, supporting the cause of Republicanism against the rotten and corrupt monarchial system. Our author charges this act of the Englishman, Paine, as a crime of ingratitude upon Republican America, because Louis XVI. had, to suit his own selfish purposes, aided the colonies in their struggle against his old enemy; as well might he be accused of ingratitude because he opposed Paine in France. The Englishman, Thomas Paine, and the Frenchman, Louis Capet, both aided the colonies in their struggle, the former by his writings out of pure philanthropy, the latter by men and money to further his own selfish ends. That these two persons were opposed to each other in the course of French liberty, is a most singular proof of American ingratitude—none but a poet could have discovered it. For this, and many other errors, Lamartine was taken to task by an American, through the columns of the Journal Des Debats, and he promised to make the *amende honorable* in an appendix. The two first volumes have been published by the Messrs. Harpers, in a beautiful, readable and cheap style.

The Life of the Chevalier Bayard, "The Good Knight." "Sans peur et sans reproche." By W. Gilmore Simms. Harper Brothers.

Burke lamented that the "age of chivalry" was gone; and the regret is often repeated by mawkish sentimentalists and unthinking romancers. How often do we see the regret expressed in the literary productions of those, who dare not look upon human nature as it

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is, that industry and the pursuit of wealth make men "narrow-minded and selfish." We praise the "generosity" and high toned virtues of the "age of chivalry," and lament the "unbought grace of life," the "nurse of manly sentiment and heroic enterprise," all of which means, translated into plain English, that it was much better to rob the peaceful citizens than to earn a living one's self. No doubt, where thousands were laboring to make the earth yield its treasures for the support and comfort of man; where the patient husbandman followed the seasons in unremitting toil, that he might profit by his industry, that he was more frugal in his expenditure, and less lavish in display, than the mail clad warrior, whose business was robbery. The yearly labor of hundreds of farmers or serfs was at the mercy of the ruthless robber, who lived in the "age of chivalry." Well might he be generous and free from "sordid love of saving," since the laboring many were but gaining up for the spoiler. This age of chivalry was on its wane, and priests and knights had nearly, by ages of continued rapine and plunder, lost even the pretence of honor and mutual faith which formerly had been considered an attribute of knighthood. Treachery had become a science, and perfidy an accomplishment, as rapine and murder had long been a profession. In this state of affairs, at the close of the 15th century, Bayard made his appearance, and afforded an example of chivalry in its best and brightest days. As such his life is exceedingly instructive in this commercial age, as showing how infinitely behind the citizen of the present day in all high toned virtues was the brightest and most world renowned knight of the "ages of chivalry." After all the honors and laudations that have been heaped upon him, he was a common cut-purse and highway robber—one of those bandits, from whom descended those who are now the nobles of Europe. The only difference between these nobles and their progenitors, is, that in the "age of chivalry," the knight, clad in complete armour, with great courage risked his carcase among comparatively reckless enemies whom he sought to rob. His descendants rob by law entailed estates and special privileges. Nevertheless, the life of the Chevalier Bayard is of intense interest, and the volume before us will doubtless command great attention.

THE MEXICAN WAR: A History of its Origin, &c. By Edward D. Mansfield, Esq. A. S. Barnes & Co. New-York.

Mr. Mansfield is a graduate of West Point, and is already somewhat known to the public as the author of a life of Gen. Scott, of a partisan character, and we are sorry to see that the present so-called history is of the same nature. The military events are detailed, doubtless, with that truth and accuracy that the esprit du corps might elicit from one bred a soldier, and from whose heart partisan politics has not yet weeded out that patriotism and love of national honor, that a military training might be supposed to have excited. The diplomatic part of the story, however, is not to be trusted. As an instance, page 14, we have the following:

"Texas continued negotiation with the United States, with Great Britain, France, and Mexico, the object of which was to procure the acknowledgment of her independence by Mexico, or her protection by some more powerful government. *Thus matters continued*—a partial war at one time, and a series of negotiations at another—till the administration of President Tyler revived the plan of annexation."

The object is to show that the United States persevered in a systematic course of aggression against a weak neighbor, and to further this impression, the above false statement is made. "Thus matters continued," says the "historian!" which is untrue. The United States acknowledged the independence of Texas in 1837. Great Britain did so in 1839, and France in 1842. All these had diplomatic agents near the government of Texas, and treaties in operation with it. Texas exercised all the functions of an independent power. These material facts an *historian!* suppresses for party purposes. As we have said, however, the military portion of the work has merit, and will command attention.

WRECK OF THE GLIDE; With Recollections of the Frigûs and of Wallis Island. Wiley & Putnam.

The great sensation produced by "Typee," by the same publishers, has, in some sort, created a taste for adventures in the Pacific, and among its romantic islands. The present work is the production of a gentleman, who, like Mr. Melville, was personally an actor in the scenes which he describes, and the interest it excites is well-sustained.

THE PRINCESS. A Medley. By Alfred Tennyson. William D. Ticknor & Co.; Boston.

To the admirers of Tennyson, and they are many, the present poem will be exceeding welcome. The typography is in that neat and clear style, for which the publications of Messrs. Ticknor are celebrated.

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PICTORIAL HISTORY OF ENGLAND. No. 40. Harper Brothers.

This great and valuable work is approaching its completion, and those who have not furnished themselves with so necessary an appendage to their libraries, should by all means avail themselves of the present opportunity.

THE WRITINGS OF GEORGE WASHINGTON: Being his Correspondence, Addresses, Messages, and other papers, Official and Private, Selected and Published from the Original Manuscripts, with a Life of the author, Notes and Illustrations. By Jared Sparks. Vol. IX. Harper Brothers.

This great work is to be completed in 12 handsome, royal octavo volumes, embracing the life and acts of the most extraordinary man the world ever produced. The founder of an empire, which is to eclipse in numbers, power, and refinement, all that the world has heretofore produced. The life and writings of this most extraordinary man possess an interest for the world at large; but more particularly for all Americans who wish to become imbued with the true spirit of patriotic virtue, which sustained the Father of his Country through all trials and temptations. These 12 volumes are sold by the Messrs. Harper at the low price of $1 50 each, and are probably the most valuable national work for the least money ever published.

SCENES IN WASHINGTON; A Story of the Last Generation. By a Citizen of Baltimore. Harper Brothers.

This is a very interesting work of the class called religious novels; and for those who consider that mode of impressing great moral and religious truths, as effective and desirable, will prove exceedingly attractive.

MEXICO AND THE ROCKY MOUNTAINS. By George F. Buxton, Esq., Member of the Royal Geographical Society, &c. Harper Brothers.

The general and natural desire for all information that may be gathered on the subject of Mexico, its people and resources, make all publications upon the subject sought after with eagerness. The present volume is lively, and describes scenes and manners in Mexico in a pleasant and agreeable manner. As far as it conveys some idea of the people, their views and customs, it is valuable; but like all the books of English travellers, is utterly unreliable for any authentic information, because, as is always the case with English, no matter to what distance they travel, the mind never leaves the smoky isles of the northern ocean. Everything is seen through a distorted lens. Everything connected in any way with America, excites at once the bile of the writer, and nothing is considered but in a jaundiced view. As usual, a silly homily on slaves, and horror at the injustice of the Mexican war, add to the trumpery remarks of the traveller. The incidents in Mexico, allowing for the superciliousness of the Briton, are well worthy of perusal.

MEMOIR OF SARAH B. JUDSON, Member of the American Mission to Burmah. By Fanny Forester. L. Colby & Co.; New-York.

The fame of Mrs. Judson has spread far and wide in the Christian world, as a devoted servant in the missionary cause; and the present little volume, by one whose talents and highly-poetic nature eminently qualify her to portray a life so filled with goodness and heroism, will doubtless be eagerly sought after.

NEW MUSIC. A. Van Gelder, 268 Bowery.

Mr. Van Gelder is peculiarly prompt and happy in the production of new popular airs and pieces adapted to the piano. Among those recently issued, is the celebrated popular Hymn, sung by the Roman people in honor of the great reforms of the Pope. It is called Pius IX. Also, a new piece, by H. C. Watson, "With joy could I set by thy side." "The Euterpe Waltz," by A. Munson; and "When the bee has left the blossom," by A. Smart, have all been recently issued by the same house, and are highly attractive.

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THE

UNITED STATES MAGAZINE,

AND

DEMOCRATIC REVIEW.

Vol. XXII. APRIL, 1848. No. CXVIII.

THE FRENCH REVOLUTION.

The great French Revolution, which first outwardly manifested itself in 1789, and which has since been gradually working out its final results, has suddenly assumed a new phase; once more the people have asserted their rights, and for the third time a Bourbon king seeks safety in flight from Paris. Since the first assembling of the *tiers etat* there have been eight governments. In 1789, that of the National or Constituent Assembly, which lasted three years, to October, 1791; the Legislative Assembly succeeded, and was prolonged five years, to October, 1795; the Council of the Ancients and of Four Hundred under the Directory three years, to the Consulate of the year 1799, which lasted five years, to May, 1804; the Empire sustained itself 11 years, to June, 1815; the restoration of Louis XVIII. 10 years, to 1824; Charles X. retained his seat six years, to July, 1830; and Louis Philippe struggled on 17 years, to February, 1848. These eight distinct governments have only been various features in the struggle for power, while the great mass of the French nation have been rapidly improving in the elements of self-government. The excesses committed at their first awakening, in 1789, from the lethargy of centuries of oppression, and which gave their enemies such advantage over them, were the wild but not unnatural outburst of an uninstructed populace that had suddenly been emancipated from a state of extreme degradation, and which had innumerable grievances to suppress and wrongs to avenge. Such a people, maddened by the paid emissaries of England, who concocted plots and spread alarm, in order to incite to those outrages, of which they did not fail to avail themselves and to denounce as the legitimate results of popular government, were the victims of the wily despots that surrounded them. The danger of a return to such a state of things scarcely now exists. The people of France have become wiser through long experience, and the gradually increasing wealth and importance of the lower classes have raised them nearer to a level with the bourgeoise, or middle classes, and, as it were, amalgamated the interests of these two classes, while the aristocracy has ceased to exist, and the influence of the court dwindled to the circle of its pecuniary dependants. At the outbreak of the revolution in 1789, the old feudal aristocracy and the hierarchy were in full possession of the land and of their privileges as landlords. These

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privileges consisted in exemption from direct taxes; the dispensation of justice in manorial courts, with innumerable rights in respect to game, mills, &c. The rental of most of the estates consisted of services and feudal tenures, through the influence of which individual industry was nearly exterminated. The country inhabitants were in fact in a state of predial slavery, and while the nobility and clergy threw upon the people all the expense of court and government, they monopolised all situations of power and emolument. Without a patent of nobility no man could hold a civil or military office. Each noble was in his own circle a petty tyrant, and the peasantry were delivered over without appeal or protection from the government to his tender mercies. That these people should have cherished the most determined hatred of these petty tyrants, and that the long arrears should have been settled in one bloody burst of vengeance, is no matter of surprise.

Two events resulted from that revolution, productive of lasting, radical and progressive change in the government. The aristocracy was destroyed, and the land passing into the hands of the people without entail or law of primogeniture, became continually subdivided. Instead of being possessed by a few lords it is owned by independent occupiers. These two circumstances of necessity made France a republic. Napoleon alone seems correctly to have appreciated the real state of affairs when he declared,

"The destruction of the aristocracy had proved fatal to all subsequent efforts for establishing a constitutional monarchy in France. The revolution had attempted the solution of a problem as impossible as the direction of balloons. An aristocracy is the true support of the throne—its moderator, its lever, its fulcrum. The state without it is a vessel without a rudder, a balloon in the air.—(*Las Cases.*")

Napoleon himself sought, under the empire, to form a new aristocracy around him, by making dukes, princes, or counts of his soldiers. The thing was entirely artificial and would not work. Even under his military rule the progress of the people in intelligence and wealth, which is the element of their power, was so rapid as to threaten his dynasty. The people have since continued to make progress. The institutions of the United States, which, in 1789, were scarcely formed, have for 60 years continued to afford them a favorable example of popular government, while there has been no aristocratic body to support the crown in making oppressive and partial laws; for what the crown could not do by itself by force or fraud, it was compelled to depend upon a corrupt plebeian Chamber of Deputies. It had no large and influential class to co-operate with it in its schemes of oppression.

In this system, which the English government understands prodigiously well, the power of making the laws belongs exclusively to the members of the aristocracy; public situations, which are the road to honors and to fortune, fall to the share of nobody but those who are vested with the power of making the laws, their children, or relations; and the people, which does the work, is the property in fee of those who have the management of public affairs. The English aristocracy displays great intelligence in the way in which it accomplishes its ends with the working classes. It leaves them all the means for the production of wealth; and every one of the individuals under its influence may choose the business by which he thinks he can get the most. All attempts on the security of individual property, which would only cause capital to disappear and hinder production, are completely put down. The people that work are neither hampered nor disturbed in their labors, but are as free in their industry and their commerce as bees in a hive.

The working classes, however, derive no more advantage in the end from this freedom in their operations, than the bees do from the honey they take

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so much pains to make. The higher orders, through the medium of the taxes which they alone have the privilege of laying, soak up the greatest part of the produce, and divide it under different names among the members of their body. To describe the thing properly, the English Parliament performs the office of a pump; it sucks up the wealth produced by the working classes, and turns it over into the hands of the families of the aristocracy. But as it is a machine that has a head and can think, it leaves the working people as much as is necessary for them to go on working.

The English aristocracy allows a certain number of men from the ranks of the people to find their way into the two houses of Parliament; and it is for the interest of its supremacy that it should be so. If the body that makes the laws consisted entirely of the persons for whose advantage the industrious portion of the community is set to work, they might bring their power into peril by demanding of the people more than it was able to pay. The men from among the people who find their way into Parliament, take care to let them know when they are running into any danger. The opposition, in the machine of government, does the duty of the safety-valve in a steam-engine. It does not stop the motion; but it preserves the machine, by letting off in smoke the power that otherwise might blow it up.

The exercise of aristocratical power being attached to the possession of great landed property, it is easy to see that younger brothers can have no share in the real estates which may be left by their relatives at their decease. The descendants of an aristocratic family would in fact all sink into the ranks of the common people, if they were to divide what is left by their relations in equal shares. The eldest son therefore keeps to himself all the landed property, to which is attached the exercise of aristocratical power; and then he makes use of this power to get money for his younger brothers, at the expense of the working classes. It is a mistake to imagine that in England all the property of a family in the higher orders goes exclusively to the eldest son. It is true, he takes the landed property, which is exclusively the family estate. But the younger brothers have for their shar rich livings in the church, sinecures or places of some kind which the public is obliged to pay for; and all these are considered as part of the family property as much as the other; for there never can be too much pains taken to impress the fact, that the higher orders consider themselves as having a property, not only in the landed estates which they possess by direct title, but in the working classes besides, on whom they lay taxes as they please, and share the proceeds among themselves.

The higher orders in Great Britain (who must not be confounded with the English people, *a people who are at their mercy to take what toll they please,*) will never allow the working classes in any country to be their own masters, as long as they can do anything to hinder it. They know very well that their own power over the working classes in the countries under their control will never be out of danger of being disputed, till the working classes in all other countries, too, are made the property of a family or of a caste.

France was without a body whose own interests ran thus in unison with those of the crown, as well under the Restoration as under Charles X. and the government of July; she was but a democracy with an hereditary head, continually striving to return to absolute despotism. The Polignac Ministry, in 1829–'30, made too great and determined strides, and the people were aroused. The king looked around for support and there was none to help him. His safety was in flight only, and the crown was bestowed on the Orleans dynasty, mainly through the agency of two elements of popular power, the great mass of the people themselves remaining inactive. These were the Press and the

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National Guard. A free press and a bad government are utterly incompatible. The nature, object and essence of the press is, by free discussion, to elicit truth and ascertain and develope public opinion upon all subjects of public interest. Where the government seeks to conceal the truth and act in opposition as well to the opinions as to the interests of the people, it cannot tolerate freedom of the press. Since the revolution of 1789, no government had been bold enough to deprive the successive constitutions of the principle of the freedom of the press, and yet there is not one of those governments that, by virtue of laws *regulating* the press, has not deprived it of its freedom. Charles X. on succeeding to power courted popularity by abolishing, as the first act of his reign, the censorship of the press. The last act of his reign was its re-establishment. The press gathered strength when its trammels were relaxed, and it gave the signal, and became the main instrument, aided by the National Guard, in the overthrow of the old dynasty.

The National Guard is an institution peculiar to France. The corps originated as early as the twelfth century, during the feudal oppression under Louis le Gros. The powerful barons robbed freely the towns and villages which the weak government could not protect. The burgesses, therefore, organised companies of *hommes d'armes* for their own protection. The king soon saw the efficiency of these corps as a means of reducing the rebellious vassals of the crown, and they continued for nearly 500 years, until suppressed by Louis XIV. In all that time they were true to the people. In 1789, when the king surrounded himself with foreign bayonets, the National Guard again sprang into existence. It is composed of all the male population between the ages of 20 and 60 years; the number enrolled is over 6,000,000, and the effective force nearly 4,000,000. All the governments were aware that if this force acted at all it must be for the people, of whom they formed the active part. They all strove indirectly to curb and destroy it, and all failed, until Charles X. committed political suicide in 1827, by dissolving it by royal ordinance. This he followed by restoring the censorship of the press, and immediately he was forced to see the policy of retiring to Edinburgh. In July, 1830, the National Guard re-appeared more formidable than ever, under the venerable La Fayette. In common with the people, they had been induced to regard favorably the Duke of Orleans, Louis Philippe, who professed liberal principles, and had steadily opposed the policy of the restoration; they therefore supposed that France would prosper under such a chief, not being, as was supposed, ripe for a republic. They sent a deputation from their body to acknowledge him as king, and rallied round his throne generously and frankly; and the public press, which for the first three months of the new reign remained completely free, gave also a frank support to the new dynasty. The new king had not, however, become fairly seated on his rickety throne, before he began by insidious means to destroy the efficiency of the National Guard—to undermine the liberty of the press, as preliminary steps to curtailing the right of suffrage, and trampling upon the constitution he had just sworn to defend and support. The revolution of July, 1830, sought to re-establish the principles enunciated by the National Assembly of 1790. The object of the revolution, as stated by the venerable La Fayette himself, the bestower of the crown, were as follows:

"The revolution of July, so noble, so pure, so generous, has traced for us all the course we have to follow for the happiness and glory of the country. To reject what the revolution has rejected, to maintain what it seeks to establish, and to perform what it demands, such should be our triple rule of conduct.

"To consolidate, by founding it on the broad basis of the general interests the popular throne, which the revolution is about to re-establish; *to destroy monopoly*

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wherever and in what form soever it may appear, *in trade*, in public instruction, in public worship, *or in the distribution* of political power. To insure to every district a *bona fide* local representation; to the people, the means of subsistence and instruction; to all, the peaceful and legitimate enjoyment of their faculties and their rights. To unravel the chaos of our legislation; to simplify and combine, or expunge the innumerable provisions which have been confusedly handed down to us by the republic, the empire and the restoration.

"To *extirpate, by great retrenchments, the hideous disease which the thirst of places and sinecures has engendered.* To pursue, in the public expenditure, *all reductions compatible with the good of the public service*, and above all, with the safety and dignity of the nation; and to aim, in the mode of assessing and proportioning the taxes, at the utmost possible alleviation of the burdens of the working classes."

This was the exposition of the aim of the revolution, as made by the venerable Lafayette, at the head of 5,000,000 National Guards, who had called Louis Philippe to the throne. However ripe France might then have been for a government so liberal, with the exception of England, popular progress had not yet been sufficient in other countries to check the power of the absolute governments. The circumstances in which the new king was placed, go far in mitigation of his villainy, although they cannot redeem the folly of his subsequent conduct. But fifteen years had elapsed since the bayonets of coalesced Europe had forced upon France the elder branch of the Bourbons; but eight years had elapsed since the Congress of Laybach; and the soldiers whom France had sent at the behest of the Holy Alliance to put down a popular movement at Cadiz. had scarcely returned, when this popular movement of France changed its dynasty, and placed upon the throne one who derived his title from the people, in place of being the creature of the Holy Alliance. That respectable body did not look on with indifference. All the foreign ambassadors in Paris, including Lord Stuart, the representative of England, protested, in the name of their governments, against the usurpation, and threatened him with a new invasion of the country if he accepted the crown at that juncture. Nothing saved the new government but the attitude of the English people in favor of France and reform. The enthusiasm in favor of the revolution alone prevented the ministry from entering anew into that holy alliance from which they professed to have withdrawn in 1823 under Canning. Louis Philippe, himself, was in an awful "fix." He began by calling heaven and earth to witness that he had taken no part in the revolution; that his sole motive in taking the cursed crown was solely to reduce the people to obedience, and then return it to Charles X. This was publicly announced by the Duke Mortemart, who had been President of Council under Charles X., and was the first person summoned to the Palais Royale by Louis Philippe, on his arrival. The same determination was avowed in autograph letters to William IV., to the King of Prussia, and to the Emperors of Austria and Russia. He also pledged himself to England to abandon Algiers. Thus, at the beginning of his reign, this precious king was bound to the people to carry out reform on one hand, and to the Holy Alliance on the other to oppose reform. In 1836, he was relieved of his promise to Charles X., by the death of that prince in Edinburgh. The true policy of this new king was, by being honest, to carry out the reforms as the age advanced, and by so doing strengthen himself with the people, and to defy the coalition. The man was, however, but a flashy knave, without real talent. No country but England would receive his envoy, and he appointed the man Talleyrand, most detested by France, to represent her there. His first cabinet was formed under Cassimir Perrier, who was the last minister appointed by the late king. United with him was Guizot, known as a violent legitimist. These were pledges to the Holy Alliance, but gave great

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dissatisfaction in France. As he progressed in his devious course of professions to the people, and illiberal measures to soothe the alliance, he said to the former, "I can do no more, for fear of the coalition;" and he wrote to the coalition, "I can go no faster, for fear of an insurrection." The triumph of the whig party and reform in England, stimulated by the success of the French movement, effectually withdrew England from the Holy Alliance, and while it saved Louis Philippe from the pressure of the coalition, deprived him of his excuse to the deceived people of a fear of invasion; however, a systematic attack upon French liberties was persevered in.

The press, as we have said, was, for the first three months, free, and all the fiscal and administrative restrictions established by the Restoration were considered as permanently abolished. Newspapers and periodicals were daily started, and political publications of all sorts were hawked about the streets and sold by criers, freely canvassing the acts of the Chambers and the government; and as these were found mostly in opposition to the principles of the revolution, the new king was severely handled. The precious trio, Molé, Broglié, and Guizot, were then the active members of the ministry, and the despotic principles of the last mentioned already began to predominate. To carry them out was impossible in face of a free press, and it was necessary to muzzle it. The leading question then discussed was, whether the deputies elected and sworn to maintain the government of Charles X. and his heirs, forever, could legally make a new charter and elect another king, without an appeal to the people. Public opinion was unanimous against them. This debate was silenced by a law, that ran thus:

"All attacks against the royal dignity, against the order of succession to the throne, against the rights which the king holds from the national will, against his constitutional authority and the inviolability of his person, and against *the rights and authority* of the Chambers, were to subject the author to imprisonment from three months to five years, and to a fine of between 300f. and 6,000f."

A second law prohibited the hawking of all papers not previously approved by the police. A third law re-established the restrictions imposed by the Restoration. This same law *reduced* the security of the old papers from 200,000f. to 50,000f., or the title-deed of annuity of 2,000f. for a daily provincial paper; of 1,800 francs for a semi-weekly, and 1,200f. for a weekly. By these means the old papers got back a part of their security, and were protected against the establishment of new papers. The Parisian press was all bought and paid for. The Journal des Debats, that had received 12,000 francs per month from the Restoration, was owned by Bertin, who was made councillor of state, and the subsidy continued. The proprietors of the Constitutionnel, Etienne, St. Albin and Jay, were made councillors and judges. Keratry, of the Courier Francais, was made a councillor of state. The National, the Temps, and Figaro, which had powerfully contributed to the revolution, were induced to support the new state of things; gradually the cords were tightened, until all mention of the king in regard to any political matter, except in praise, was prohibited; all attacks upon any class, all censure against either chambers, all criticism of the institutions of the country, all vituperation of any law, were declared *delits* or crimes. The penalties ranged from 600 to 50,000 francs, and six months to ten years imprisonment; and the judges, the creatures of the king, were empowered to double the maximum, at their discretion. To secure the fine, the security was raised to 100,000 francs, of which the responsible éditor must own one-third. After two condemnations a paper

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may be suppressed. Thus perished the freedom of the press, guaranteed by the constitution of July. Nor were these laws by any means a dead letter. The fines imposed by this government upon editors, amount to 9,000,000 francs and *two hundred years imprisonment!*—and for trivial offences. As for instance, the Gazette and La Nation published a Bourbonist letter, without comment, signed by the Duc de Doudeauville, for which the former editor was fined 8,000 francs and imprisoned six months, and the latter, 12,000 francs with ten months imprisonment.

Simultaneous with this attack upon the press, the blows of the government were dealt at the National Guard. Towards the close of 1830, a law was passed which ran thus:

"The National Guard is instructed to defend the constitutional royalty, the character and the privileges it has consecrated. * *

"All deliberations of the National Guard on the affairs of the country, of the departments or of the commune, *are attacks against public liberty*, and offences against the country."

By what means were the National Guard to ascertain the nature of that which they were instructed to defend, except by those deliberations which were punishable as attacks against liberty? So absurd are the tricks by which France was deceived. The venerable Lafayette was driven by covert insults from the command of the Guard, and its independence fell under laws concocted by the infamous Lafitte.

The ministries of France have been the most farcical puppet shows with which any people were ever amused, in either modern or ancient times. The last ministry of Guizot and Soult, the latter retiring last summer, has been the longest in power, and the pertinacity with which the despotic principles of Guizot have been enforced through the medium of the most atrocious corruption, has led to reform sooner than was expected. There were from July 1830 to 1843, since when Guizot has been in power, 15 ministries; and these ministries were composed of seven men who alternately acted with and against each other as occasion served. They were nearly as follows:

MINISTERS OF FRANCE UNDER LOUIS PHILIPPE.

	President of Council.	*Foreign Office.*	*Justice.*	*Instruction.*	*Interior.*	*Public works.*	*Finance.*
1	Molé	Molé	de l'Eure	De Broglie	Guizot	—	Louis.
2	Lafitte	Sebastiani	de l'Eure	Merilhon	Montalivet	—	Lafitte.
3	Cas. Perier	Sebastiani	Barthe	Montalivet	Perier	—	Louis.
4	Soult	Broglie	Persil	Guizot	Thièrs	—	Humann.
5	Soult	Rigney	Persil	Guizot	Thièrs	—	Humann.
6	Bassano	Bresson	Persil	Teste	Bassano	—	Passy.
7	Mortièr	Rigney	Persil	Guizot	Thièrs	—	Humann.
8	Bróglié	Bróglié	Persil	Guizot	Thièrs	—	Humann.
9	Thièrs	Thièrs	Sauset	Losere	Montalivet	—	Humann.
10	Molé	Molé	Persil	Gulzot	Gasparin	—	Duchatel.
11	Molé	Molé	Barthe	Salvandi	Mantalivet	—	Lafiagne.
12	—	Montebello	Girod d l'Aine	Parent	Gasparin	—	Gautiér.
13	Soult	Soult	Teste	Villemain	Duchatel	Dupere	Passy.
14	Thièrs	Thièrs	Vivien	Cousin	Rumuant	Jaubert	Losere.
15	Soult	Guizot	Martin	Villemain	Duchatel	Teste	Humann.

This is but an alternation and different combination of the same names. Soult it appears, in the 3d and 13th ministries, held office in opposition to Guizot, Thièrs and Mole. In the 4th and 5th, in co-operation with Guizot and Thièrs, and in the last, in co-operation with Guizot and opposed to Thièrs. Guizot was seven times in office, acting with and against all the others, and so with the rest. That these men entertained anything like political principles it is absurd to suppose. The first ministry lasted three months, and was the only one that was influenced by public opinion, because public opinion had not yet been smothered by their arts. The second

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ministry was dissolved by the retirement of Dé l'Eure, in disgust at the mendacity of the king. The death of Perier dissolved the 3d; the 4th by the refusal of the Chamber to pay 25,000,000fr. to the United States, for the reason that the American *créances* had been bought up by the court speculators for a trifle. The Chamber was dissolved, and the fifth ministry resigned, because the new Chamber in its address denounced the policy of Guizot. Soult was replaced in the 5th ministry by Gerard, being obliged to resign because of heavy expenditures unaccounted for. The sixth ministry lasted three days, and was dissolved because Passy and Dupin wanted to conform to the wishes of the Chambers. The seventh was dissolved because Humann advised the reduction of the interests on the five per cent. stocks. Thiers was obliged to resign the ninth, because the king refused to cooperate with England in regard to Spain. The tenth was dissolved because Guizot opposed the liberal internal policy of Molé. The eleventh was defeated by a coalition between Guizot and Thiers. The twelfth, composed of the king's aid-de-camp and other hirelings, lasted one month. The thirteenth was out-voted on the king's shameless proposal for a dotation to his son Nemours. The fourteenth, under Thiers, was dissolved on account of the quintuple treaty; and Guizot succeeding to the fifteenth, ran the ship ashore. From this last, Soult retired recently from the approaching storm, and Teste committed suicide when corruption was proved upon him.

Such are the men, unprincipled and corrupt to the last degree, who have formed the ministries of Louis Philippe. They were, in fact, not statesmen governing a great people, but merely the instruments by which vast sums were extracted from the many to purchase support to the crown. The machinery of the elections and the Chambers were no less corrupt. Inasmuch as that there was no influential aristocracy to form a bulwark and support to the throne, on the old monarchial theory, and a power conferred by the people could be by them again withdrawn, the problem presented itself how to ensure a steady majority to the crown, while attempting to keep up the farce of a representative government. The solution hit upon was, by imposing high qualifications to diminish the number of electors, while the number of employées should be increased by every possible means, and the expenditure kept up to the highest magnitude, in order to draw all the resources of the country into the hands of the crown for disbursement among those who exercised political rights. By extending the patronage of the different ministries, the number directly dependent upon the crown was found to be 500,000, and their emoluments over 400,000,000 francs, or $80,000,000. These were the means of government, more efficient than any army. The next step was so to proportion the qualifications of electors, that their number should fall far below the number of places at the disposal of the crown. At the revolution of July, the general opinion was in favor of the restoration of the electoral law of 1791, when the great body of the people enjoyed the right of suffrage. Lafitte proposed to reduce the qualification from the payment of a tax of 300 francs, to one of 200 francs, and the age from 30 to 25 years. Popular opinion was in favor of 100 francs qualification. This would, however, have caused the number of electors to amount to 550,000, and above the means of the crown to ensure a majority. It then became necessary for the government actually to curtail the number of electors, while seeming to strive for an increase, in accordance with the wishes of the people. An oft-tried and generally successful trick was resorted to. The electoral law was referred to a commission, of which the members were influenced by the court, and the leader, Béranger, reported in favor of 250 francs taxes and 30 years of age as the qualifications of electors. This the ministry opposed, and brought in a bill fixing the qualifications at 200 francs direct taxes, and

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25 years of age. The number of persons entitled to vote under this law, they had previously ascertained would be only 200,000, and these electors, with 15,000 officials in the pay of the king, compose the *jurymen*. Thus, with 200,000 electors to be influenced, the king had over 500,000 offices at his disposal. This 200,000 electors choose 459 deputies, but the ministry never influenced the whole number, a certain working majority is all that is wanted; 230 members form the majority. There are 360,000 arrondissements. In 340,000 of the poorest, the number of electors will be not more than 100,000, and a small number of places suffices to ensure the ministry his majority, and to leave a minority, on which ministers expend their eloquence and keep up the show of an independent Chamber. The Chamber of Peers is appointed by the government, and represent the different cliques whence sprang their promotion, but they are of no weight in the state.

The essence of this precious concoction of a government, has been, of course, to extort money by every possible means from the people, for the double purpose of preventing the masses from gathering strength through increase of prosperity, and of supplying the profuse expenditure, which is the only support of the government. To this end every species of monopoly has been contrived and sustained to the injury of the people. The venerable Lafayette, as we have seen, declared the abolition of monopoly in trade as one object of the revolution; yet the trammels upon commerce and industry have been perseveringly increased. Thus, for the year 1846, the amount of customs revenues was 105,586,000 francs, or $19,797,375; of which four-fifths was derived from *matières premières*, goods necessary to French manufactures. Of $26,000,000 imported from the United States, $24,000,000 was of that description. Of the whole amount of customs, 60 per cent. is derived from the three articles of coal, iron and cotton. The duty on iron is $50 per ton, a little more than the price in England; on coals $20 per ton; on cotton wool 12 per cent., while the English and German manufacturers get it free of duty. Flax and hemp are charged equally high. The high duty on coals is mainly to compel the consumption of wood for fuel, and charcoal for iron manufacture; the property of the king and many of the peers, who purchased largely during the revolution, consisting principally of forests. As Duke of Orleans, the income of the king, from forests, is $1,500,000, and the crown lands give $1,000,000. The high duty on iron protects the extensive works of Marshal Soult, Duke de Case, Count Jaubert, M. Harlay and others. The large class of wine growers lose, it is estimated, 100,000,000 francs by the anti-commercial policy of France.

The essence of the French government being expenditure for corrupt purposes, the amount to be raised annually was necessarily progressive, and the amount has been as follows:

TAXES OF FRANCE.

	Indirect Taxes.	Direct Taxes.	Total.	Do. in $.	Population.
1824	665,654,119	344,763,768	1,010,426.887	189,455,026	31,845,428
1829	661,067,878	325,090,943	986,158,821	184,904,029	32,569,223
1838	671.393,209	382,026,869	1,053,420,078	197,516,263	33,540,960
1843	802,956,592	406,149.368	1,209.105,960	214,207,442	34,194,875
1846	823,291,000	479,217,386	1,302,508,386	244,220,322	35,200,080

This has been the progress of the annual taxation, of which the direct taxes have increased from $7 per head of each citizen over 21 years of age to $12 per head, and this without taking into consideration the public debt, which has increased from an annual charge of $40,000,000 to $80,604,250, or more than double; and the increase is altogether on account of the lavish expenditure, keeping ahead of the sums that could be

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forced from the people. The law having fixed the sum to be raised by each department, the Minister of Finance informs the Prefect of the Department, through the Minister of the Interior, of the sum required from his department, and he communicates the amount demanded to his sub-prefect, and to the mayors. The sum thus assigned by the Prefect to each arrondissement, is subdivided by the councils of the arrondissement and by the communes, and the amount allotted to each apportioned among the inhabitants, by persons appointed for that purpose, called *répartiteurs*, who would here be called assessors. These are seven in number: the mayor of the commune, his deputy, and five landholders, of whom two, at least, must not reside in the commune. These assessors are named by the sub-prefect, and confirmed by the Prefect. They are liable to a fine if they refuse to act, and they regulate taxable property. The land-tax in France is unequally raised. In some departments it is six per cent., and in others (the Seine) it is 17 per cent. This arises from differences in the net produce of land.

The English papers and many writers charge upon the French, that the subdivision of the land, which is a democratic element, is destructive of the interests of the people, because through it they become continually poorer. The above figures will show at a glance the true cause of individual poverty, and the impossibility of accumulating capital, when year by year the demands of an infamous government become more exorbitant. The number of occupants of the soil in France in 1815 was 10,083,751, charged with the land-tax; in 1836, the number had increased to 10,893,-528. This is not an accurate return, however, as many persons hold property in several communes, and are tax-payers in each. In England, the number of land-holders is 233,343; and as the superfices is 32,247,680 acres, it gives an average of 136 acres each. The superfices of France is 128,000,000 English acres, consequently, the average farms are rather less than 12 acres. It is observable that, in spite of the horrible oppression of the people and the prohibitive nature of the indirect taxes, their product has increased nearly 30 per cent., showing the progress made in time of peace under every disadvantage.

We have thus touched upon the leading features of the events in France, because the policy of Louis Philippe has led directly and inevitably to the revolution, which has ruined his dynasty. The infamous corruptions that led to the suicide of the Minister of Public Works, immediately stimulated the reform banquets, and the attempt to suppress them produced the explosion. Had he been honest, and gradually relaxed the taxes, while he extended the political rights of the people, and administered his government in an economical manner, there is no doubt but that the increased and growing strength of the middle classes would have proved to him an unfailing support, while the land occupiers would adhere to the government that relieved them of taxes. France would thus have afforded an example to, and been supported by the people of other European states.

It is the complaint of French statesmen, particularly of Odillon Barrot, in his late speeches, that the French are not politically active. When men are surrounded with police, have no vote, and are politically dead, how can they busy themselves with politics? Give them votes and political rights, and they will be sufficiently active. Had the charter of 1830 been carried out, the French people would gradually have been practised in self-government, and their capabilities for a republic* would not now have been a

* There has recently appeared from the pen of Henry Wikoff, Esq., than whom no American has enjoyed greater facilities for information in relation to the politics of France, or is more capable of fully appreciating them, the following interesting conversation with Armand Mar-

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problem, even in the opinion of republicans. There must be a beginning; and if the present revolution produces no other results, it will enlarge the elective franchise. In that case, it is not of the slightest importance what

rast, editor of the National, and a member of the provisional government, on the state of France. It will be borne in mind that this occurred a year before the revolution.

Conversation with Armand Marrast.

We began speaking of the unfavorable position of the press since 1835, and after enumerating the various shameful contrivances of the government to put it down, he went on to say:

"That the struggle at the beginning, between the King and the press, was a fierce and critical one—that the government had almost given up all hope of a successful resistance—that for a time they stood trembling on the very verge of the abyss. Their frantic appeals to the Bourgeoise, (the middle classes,) in the name of order, were at length listened to, and they promised everything in the shape of liberal and enlightened concession. That the government would be one of reasonable progress—that commerce should be relieved of useless restrictions—and political privileges of every proper description would be cheerfully accorded. The opposition was denounced as a class of violent and factious men, who dreamed not of organization and peace, but contemplated eternal change and universal war. It is not wonderful, with such misrepresentations of our cause, said M. Marrast, that we were overpowered, and the press degraded to its present lamentable condition. The modification of our tone as a party, that you speak of, rises naturally from the change of circumstances. For the first five years after the revolution of 1830, we struggled with an energy equal to the peril against the re-action set up by the King. There was no time for argument. We saw the danger, and with the same arms in our hands which had just overthrown a tyrant, we rushed again into the streets to prevent new outrages, as odious as those we had avenged. Finding public opinion determined upon the cessation of all contests, we yielded our physical resistance, and for the last seven years we have relied solely upon discussion. But the statement I have made you, of the illegal and brutal exercises of power against the press, deprives us almost of the use of our pens; and though we seek nothing more than the protection of our opinions, and the rights of the country, we are treated as criminals, or slaves, and overwhelmed with penalties and imprisonment. We must, indeed, believe in our cause, to maintain it now, in the face of such trying obstacles. But, thank God, there is still compensation left us. At least, our disinterestedness is above suspicion. When men are seen contending, day after day, without reward, and almost without hope, against overpowering and insolent odds, then writers are honored, and their objects are likely to be respected. Impartial people begin to believe that truth and justice must animate them in such a struggle. We have a sufficient proof of this, in the augmented favor which the *National* is daily receiving from the public generally. It is a striking fact, too, that double the number of our journal is ordered by the Chamber of Deputies than the organ of the government, the *Journal des Dabats;* fourteen of one is taken, and but seven of the other. *We are gaining constantly in public opinion,* now that all fears are dissipated of our designs and extravagance. The absurd clamors that used to be confided in so readily against us, do not prevent the public from reading our statements of the horrible corruption of the government, and the remedies we propose are beginning to be regarded. I agree with you, that our cause will become a strong one, when the trading classes, which you rightly say include all France, are convinced that we do not desire disorder. This suspicion has been our weakness, and the government's strength. The fiscal articles which have of late appeared in the *National,* and which you praise so highly, are a proof to the financial world, to our bankers and brokers, that we understand their interests, and are capable of defending them against the government, which they dare not do themselves. Trade and commerce have no champion more sincere and devoted than ourselves; and if we have been slow in sustaining the commercial movements towards free trade, it is because we suspect some trick or deception from the character of some of the parties engaged in it. We must be on our guard when we find the 'Journal des Debats' advocating a policy even that seems so fair. You ask me, in proof of our intentions or desires, what would be the first words of the *National,* should any *event* occur that would disturb the present tranquillity of the country? *L' ordre, et la France,* I reply, without hesitation; *and come when that event may, no one will be more strenuous than ourselves in supporting the public security.*

"It were ridiculous to think otherwise, because we were forced at one time to resist the hand that brutally attempted to close our mouths and stifle our remonstrances. I have no doubt of our being entirely prepared for such a crisis, and it is our hope to put it to a proper use. You demand what is our fundamental doctrine as to government? We have but one, and that is unchangable—a republic, which we think, from constant observation, is the only one really compatible with French character. There is no country in the world where the manners and usages are so essentially democratic as in France, and to insist that a monarchical government is the only one adapted to such a nation, seems to me an absurdity. You speak of our being so long accustomed to a vigorous system of administration—to a military organization; but these have not prevented the democratic development, nor extinguished the passion for equality. Both the former must gradually give way to other combinations of circumstances that are now ripening; and, in a modified form, parts of our present system may exist under a republic as under a monarchy.

"It seems to me so strange, that, in a nation where all occupy one broad, flat level of complete equality, that it should be regarded as natural or necessary that one family alone, of all the rest, should be singled out as entitled to occupy a privileged place, endowed with prerogatives, invested with hereditary rights, and allowed to exercise an undue influence, and enjoy an exclusive share of the wealth of the state. This strikes me as an anomoly which cannot

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government is for the time adopted, the people will grow in political wisdom, and democracy become "progressive" in France as elsewhere. With all these sham ministers, their paltry dependants in the Chambers, the venal editors and the multifarious coteries represented by each knavish politician the people have nothing in common. There is properly but one party in France: this is the liberal party, faithful to the revolution of 1789, and to the principles of the Constituent Assembly. They disavowed the excesses of the Convention, opposed the despotism of Napoleon, never ceased to pursue their aim under the restoration, triumphed and were deceived in 1830, have again driven forth the last of the Bourbons, and once more revert to the principles of 1789, purged of their ignorance, their violence and their excesses.

The provisional government, formed on the flight of the king and his family, proclaimed a Republic, and issued a decree for the convocation of a National Assembly on the 20th of April, to organize a new government. This was properly all that the provisional government had any right to do, beyond attending to the details of office, until the new government, emanating from the people, should be formed. Unfortunately, however, they have undertaken to govern by decree, seemingly with a view of giving to the new state of things a false direction, in accordance with the private views of a few members of the new government. The glorious object of universal suffrage will be attained, and its result will be to deprive Paris of its strong centralism. The people of Paris, led by a Poet, and a Communist and a Socialist, and influenced by the works of George Sand and Eugene Sue, can no longer govern France. The wealth of Paris will no longer outweigh the honesty of the provinces, and we trust earnestly and faithfully in the intelligence and honesty of the whole people; and we feel that the cause of Republicanism will escape the threatened danger of Socialism, which prevails in Paris.

long endure the search of scrutiny and the test of time. Your objections to our system of centralization are natural to an American, for in your country, bound together by similar interest, and from its situation not exposed, like us, to dangers from without, so much unity is not required, and the necessity of such an organization is not apparent to you. When the rest of Europe alters, as it is doing, and becomes constitutional, then we may modify our somewhat too military system. Were we to attempt it now, the Holy Alliance would play on our different interests, and separate between them as you would the leaves of an artichoke, until we were split up into sections. But even at present you see we have a political structure a good deal resembling your own. Our departments, like your states, are presided over by a Prefect, who exercises a species of sovereignty; and he, in his turn, is advised and checked by two bodies —a council of prefecture and a council of the department, who are elected by a portion of the inhabitants. It is so downwards to the Mayor of the Commune, who has his municipal council to guide and restrain him.

"These are all connected, it is true, directly with the head of the state, and when that is corrupt, mischief may be done. But after all, what is the king's power when opposed to the will of the nation? If the Chamber of Deputies, despicable as the present one is confessed to be, were to declare to-morrow the dethronement of the king, he would necessarily cease to reign. The legislature would instantly be surrounded by the National Guard, and the population of Paris would fly to their protection. What could all the force that the government could possibly muster, effect against the majestic power of the whole nation?

"You are perfectly right in saying there never will be an end of domestic agitation till the popular power rules in France, for then, as in your own country, farther change is impossible. When the people govern, they have then no enemy to contend with, and revolutions are at an end. In France, as I have said, our manners, sentiments, and ideas, are all democratic to the last degree, and maintaining a monarchy from fear only, may be a proof of our discretion, whilst it is a source of constant strife and instability. Until we reach a republic, modified as you please, we shall always be subject to agitation, and struggles, and disorder. I DO NOT SAY THE TIME IS COME, NOR THAT MANY PRUDENT CHANGES MAY NOT BE EFFECTED FIRST, TO PREPARE US FOR THE FINAL PORT WE ARE DESTINED TO ENTER. But nothing is to be apprehended from the opposition press, when you find them all advocating, as you see, that moral force is the only lever necessary to effect all we proclaim on our manifesto. Our suggestions and propositions are not likely to lead to ill, when, as you say, they are dictated by the purest motives for the public good, and sustained, as they evidently are, by men above suspicion of corruption. Our most ruthless enemies, I may be allowed to boast, dare not accuse the *National* or the *Siecle* of dishonesty in act or word. Whilst we possess an untainted honor, let them wallow in ministerial favors and royal largesses."

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THE PRESENT REFORMS OF POPE PIUS IX.

AND THEIR EFFECT UPON THE ROMAN CHURCH, AND THE GOVERNMENTS OF ITALY.

All eyes have been fixed with an attentive gaze upon the affairs of the Romish States, and the civilized world has viewed, with an interest scarcely before equalled, the events which have accompanied the religious and political reforms which Pope Pius the Ninth, the sovereign of Rome, and the temporal head of the Romish Church, has carried out with so stern, so fearless and so impartial a hand. Embracing, as these reforms do, principles alike important in their effect upon the established institutions of Europe, and the greatest Christian polity now in existence, they naturally force themselves upon our minds as a subject of the greatest importance. The Roman Catholic Church stands in unparalleled grandeur, the greatest of all the Christian denominations; and the magnificence, extension and solidity of her institutions and tenets, furnish a subject deserving the most extensive research and the minutest inquiry.

Dating, as she does, her origin back to the time when the worship of the humble Nazarine first burst the enchanted spell which the beautiful and passionate theories of Rome, of Greece, and of Egypt, held over the devotees of an omnipotent Jupiter, a glorious Mars and a fair Juno, and a still fairer and more passionate Venus: Arising, as she did, from the ruins of the mighty fabric of a Roman empire, upon the downfall of Rome's iron institutions, which had remained proof against the buffetings of a thousand years—upon the decline of her literature, her arts and her science, and finally upon the destruction and crumbled ashes of an ancient, a heathen, and a darkened world: Remaining, as she has, the only Christian vestige of a former and more noble era, whose origin alone reminds us of the times when the listening Athenians congregated upon the hill of war's peculiar god, to hear the strange glories of a still stranger deity, and to wonder at the revelation of the uncertain truths before surmised by the prophetic genius of Socrates—when the heathen priests of Rome and Antioch, robed in purple and in ermine, trembled at the words of truth which dropped from the lips of a Paul, as he opened, to their astonished view, the hitherto closeted bounds of a future, and a future state of happiness and pains; the remembrance of her former glory, the width of her dominions, and the strength of her membership, all combine to give an additional interest to every act and event which in its nature connects itself with her welfare, or in its tendency modifies our hatred, or increases the veneration which all feel for her as the parent of religion, and the first herald of the gospel.

The Romish Church has remained unchanged by time in the extension of her wide dominions, and the members of her community exceed, by more than thirty millions, all other Christian sects and denominations now in existence. She is as powerful now as in the palmiest days of her greatness. The majesty of her church, though stripped and despoiled of the charm of distance and of past glory, which has clothed her with beauty, remains as pure and potent as in the time when she commanded undisputed sway, and acknowledged no equal. Her temporal head—strange unity of earthly and spiritual power—sits enthroned in the imperial majesty of his predecessors; her missionaries, as ardent, as persevering, as devout, and as successful as St. Patrick or Augustine, now toil upon every continent and in every nation. Her emblematical cross is planted by her sons upon the icy shores and barren fields of Greenland and British America; and her representatives toil

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among the swarming population of China, in the burning deserts and interior of Africa, and the marshes and rice-fields of unhealthy India. She has passed visibly unharmed through the fiery ordeal of a reformation, and untouched over the whirling vortex of a French revolution. Her history connects the two great eras of the world—the ancient, with its splendor and magnificence, and the modern, with its civilization and refinement; and her mighty structure towers as high in power, and sends forth as potent arms of success and conquest, in the nineteenth century, as she did when Charlemagne, or the monarchs of the Saxons, bowed submissive to her sway.

But great as may be her present glory and prosperity, she stands upon a fearful precipice, and the germs of her destruction seem struggling for the mastery, even in her own bosom. In past time her downfall has been many times predicted, when opposing and triumphant sects seemed almost to crush her power and annihilate her existence. Yet again and again has she triumphed over every coalition, and come forth brighter and more prosperous, as it were, from her severer trials; and now again is her end prophesied, and again is she in the opinion of the Protestant world predicted to fall, and perhaps with good reason and much prospect of fulfilment.

Heretofore the causes which have shaken and threatened her existence have either been contests with other and opposing denominations, or with radical parts of her own community; but the present reforms spring from a far more effective and vital source—they have their origin in the centre of her government, even from the imperial ruler of the Catholic Church himself; and though these liberal views and measures of Pope Pius the Ninth have not as yet convulsed the whole polity and foundations of government, they are destined to remodel, renovate, and perhaps destroy the firm basis of the Roman Catholic union, if any series of events, any spread of doctrine, or any theological theory, is destined to accomplish such an earnest, wished-for result.

The tenor and advancement of the present century in the science of government and of improvement; the peculiar position which the Roman Church at present occupies, and the various and complex interests which are pressing upon her, render her situation more critical, and fraught with greater importance than she has experienced in all past time. Different causes, remote in their origin, and great principles of human nature and man's progression, connect themselves in a peculiar manner with the crisis which the Romish Church seems approaching.

The origin of the Roman Church and her primitive rise was founded upon the pure doctrines of religion, and for more than six centuries she remained in fact, as well as in name, the only and true church. Since that period, her entire nature has changed, and though her tenets and her authority are zealously upheld by her untiring disciples, yet the blast of corruption has fastened itself upon her vitals and perverts the aim of her labors. She has changed from a true supporter of Christianity to a mere engine of power and worldly ambition; thoughts and schemes of aggrandizement occupy the minds of her prelates and her Pope—her whole organization is rotten—her purity has fled—her honor has been sacrificed, and her magnificent graduation of dignitaries, from the humblest bishop of a barren bishoprick, to the successor of Peter, the imperial Pontiff himself, depend upon the ardent and burning zeal of her humble pastors and ignorant and devout laity. Her supremacy is the supremacy of crafty and expanded intellect over credulous and religious ignorance. The graduation and power of mind is here wonderfully and powerfully combined, to accomplish an object which has long been aimed at in the policy of monarchial governments, namely: to establish a hierarchy, in whose hands the whole power of government is lodged, and

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to whom is given the guidance of feeling, the suppression of truth, and the triumph of despotism and despotic power. Under this potent executive, the whole field of science, every emotion, whether arising from personal ambition or zeal for Christianity—every talent, every emotion and object, every desire and passion, has been brought into requisition to screen the Church from attack, and supply the essence and maintain a religion, after its purity and its virtue has fled.

It is not to be understood that the Church of Rome is more corrupt at the present time than she has been for the past thousand years; that darker crimes, more assassinations and murders, more forcible dethronements, or grandeur, or more corrupt schemes of intrigue and dissimulation are at present carried on and committed at Rome, than in the time of former pontiffs; neither is it to be supposed that the means of her power are less effective, or the force of her various and complex means of aggrandizement have been lost by effeminacy or neglect. On the contrary, the confidence of her members remains as steadfast and firm as ever. Conflicting sentiment and opinion—the enthusiasm of new converts, and the perseverance of disciplined pastors, are all united in the spread of her power and dominion. The Church of Rome is as proud, and stately, and magnificent as ever; her dominions have increased since the time of the French revolution, and new kingdoms and new nations have joined and united with her belief. Neither has Protestantism made any conquests in her old or new possessions. Protestant England, whose hostility to Romanism has been proverbial, has only a few years since, and within the recollection of us all, established, by act of Parliament, a Roman university at Maynooth; and America, England's Protestant child, has, in a much greater measure, followed her example. A few years have only passed away since it was difficult to find a Roman church or cathedral, or monastery, among the thousand of glittering spires of every Protestant denomination; but at the present time her magnificent and costly houses of worship are seen in every city of the fruitful and growing west: they are seen in every village, from the source of the Ohio to the mouth of the Mississippi, and they stretch along the shores of the Gulf of Mexico and the Atlantic ocean, and barely rest at Maryland. This spread of her power, instead of insuring her supremacy, weakens and distracts the centre of her power. The deep-seated disease still remains infecting her system—a volcano of corruption is rumbling beneath her hierarchy, and is on the point of bursting forth and overwhelming her whole organization and government.

Hitherto, her Popes and her prelates have acted in unison and concert; and every interest and sectional difficulty—every foreign coalition, has been met with that unity and fierceness which has led them to triumph over every opposition and opposing power. Their counsels have been secret, and no species of reform has ever occupied their sittings. Travelling the path before trod with success, guided by their creeds and the example of their predecessors, they have remained united, and gathered their triumphs more by the force of their union and doctrine, that the end justifies the means, than by any virtue or Christian sincerity manifested in their character. At the present time, the case seems different; the long worn shackles have been thrown aside; a course which has been followed for above eight hundred years by the Roman Church, has this year been repudiated; and Pope Pius the Ninth has opened a new gate, and adopted a new course of action, which has never been before pursued by any former Pontiff, and which will, in all probability, result in a change of the most intimate importance to the duration of Romanism.

This new and great change, introduced by the head of the church himself,

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will infuse a new spirit into every ramification of her policy. It will open eyes before shut to the discrepancies of her creed; it will break down every ancient rampart of her power, and expose her folly and corruption in such a glowing and true light, that the spirit of reform first promulgated from the throne of St. Peter, will run through and pervade, and enlighten every class of her community, until the foundations of her mighty structure are undermined, the time of her downfall come, and she will sink as did the Roman Empire, after enduring nearly two thousand years.

Other indications of the modification and downfall of the Romish Church press themselves upon our notice. Within the last few centuries, the human mind has been in an active and progressive state; arts, science, and inventions, have been carried to the summit of perfection; the science of government has been improved in a wonderful degree; the arcana of nature have been laid open to the raptured gaze of all, and great principles, and rules, and laws for the elements and space, have been laid down with certainty. Civilization has again returned with her blessings and her sweets to improve mankind, after passing through the darkness and oblivion of the middle ages. That long sleep of science and literature has tested the purity of her texture, and she has emerged from the ruins of ignorance, cleansed of all her impurities, and linked with her handmaid, Christianity, she seems to have begun her work anew, and progressed with the most rapid strides towards raising and elevating man to that state of perfection which, with her aid, he is destined to attain.

The Roman Church remains a monument of a remote and former age. Like the pyramids that traverse the valley of the Nile, she stands an old vestige of a former world, stamped with its impress, marked with its quaintness, and preserving the outline of something distant and remote, and entirely different and unlike the present blustering and progressive era. As the Roman Church was in the 12th and 14th centuries, so she is now; and the present generation view her clothed in the same garb, and advocating the same measures and doctrines as she did at the time of the massacre of St. Bartholomew, or in the bloody reign of a Mary. To secure her power, she has inflicted upon her members a despotism and a servitude more hard and severe than that of Russia's serfs, and she has made this despotism secure and permanent by burying her Church in the deepest and most revolting ignorance. Her power has been like the withering Simoom, carrying destruction and devastation in her path. Whole kingdoms have been depopulated or crippled; whole nations have been sunk into effeminacy; and the firmness of their character and governments has been sacrificed to her ruinous system of aggression.

At the commencement of the reformation, the superiority of the Portuguese and Spaniards over the English and the Danes was unquestioned, and at the present time the opposite is universally acknowledged. We see the Roman Church, with her vicious policy, sucking the vital blood from sunny Spain and unhappy Portugal, and making their once powerful and mighty governments weak and impotent, ruled by faction and by anarchy. No curse or punishment of an Omnipotent Providence could have descended upon religious, devout, and withal, Catholic Spain, Italy and Ireland; yet Romanism has reduced the proud character of the pure Castilian to the ignominious level of a Bedouin Arab. The descendants of noble and powerful Rome have degenerated even beneath the pure pale of its temporal spirituality, to an ignoble, passionate, and revengeful race. Ireland, too, from whose land have sprung the mighty minds of Sheridan and of Burke, and in the veins of whose people flows sparkling wit and the brightest intelligence, is withering and dying beneath her rigid sway and

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stern control; her national character is debased, and her people seem to sink under the sway of Romanism deep into the pit of degradation, and are fast approaching a state of uncivilization and barbarity.

Not so with England, Scotland, Denmark and Holland; under the pure light and influence of Protestantism, they have kept pace and aided in man's advancement. While the glories of art, science and literature have faded from their temples in Arragon and Castile—while the galleries of Genoa and Venice and Florence are stripped of the productions of Raphael and Michael Angelo, and the sickly measures of their poets scarce pass the ranges of the Alps, the precincts of a London tower contain specimens of art and the efforts of talent equal to the collections of Rome under the reign of Lorenzo the magnificent; and the schools of Edinburgh, and the sublime theories and literature of Germany, present a strange contrast to the land of Italy, the home of a Dante and a Galileo, now down-trodden and bleeding beneath the thraldom of a cruel church. And this difference is not only seen in the literary world, but geographical bounds seem to trace a line of demarcation between the benighted lands which clings to a church which buries them in ignorance, and those that have listened to the preachings and doctrines of Calvin and Luther, and kept pace with man's onward and glorious march. The same difference can be seen in the colonies planted by Protestant England and Catholic Spain. America, England's colony and Protestant foster-child, has grown to a pitch of greatness nearly surpassing the most powerful of the kingdoms of the old world, and holds the same position in reference to the South American Republics and Mexico that England does to Spain.

As civilization advances, and as the mind of man is modified by its gentle impress, he is more capable of casting aside the image of a divinity, and view and worship it in its essence and in the abstract. Civilization, purifying the intellect of man of the mist of Paganism, makes him capable of viewing and of worshipping the incomprehensible, the invisible, the essence of intelligence and power, as a Christian ought to adore him; gazing full in the blazing excellence of his countenance, he gives the only adoration which an immortal mind can give to the pure essence of God, unseen and incomprehensible. The Roman Church seems to repudiate this idea; they cast themselves far back beyond the Christian religion, and embrace the glitter of empire and power at the expense of piety, and transfer the homage which is due to an invisible deity, to the images of a St. George or a Virgin Mary.

Before the time of Christ, man's religious spirit, which is as deep seated as his nature, required some visible image upon which to expend its adoration. The comprehension of the heathen mind dropped far short of knowing the attributes of a first creating power; and though the existence of a first great cause was indelibly stamped upon their minds, some graven image, or some glowing representation, to which a visible worship could be made, was instituted in the place of a pure and intellectual adoration. Thus the Persians bow down to the radiant sun, not so much as the object of their worship as the personification of a greater and unseen power; and the Greeks and the Romans, and, in fact, every race and every nation, have, in their primitive state, worshipped one invisible divinity. The Greeks, struggling between a desire to worship a supreme mind, and have also a tangible and visible God, have created their Jupiter, and carved his image in marble; and the Egyptians have raised the towering pyramids, to enshrine in their inmost recesses a bull, the faint type of an immortal Deity; and thus it was following the example of a Pagan world. Christianity, soon after its first triumph, became a new idolatry; the new doctrine staggered

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the minds of the wise and overwhelmed those of the foolish. Saints and Apostles assumed the places of former heathen gods, and the ancient and time-worn walls of the Church of St. Peter, with her sanctums filled with the golden images of patron Saints and Holy Virgins, and her galleries decorated with the representations of immaculate Apostles, has been transformed into a second Pantheon. The Roman Church has assumed the worship of a Pagan world; her Virgin Mother and Cecilia answer to Venus and the Muses, St. George to Mars, and St. Elimo to a Castor and Pollux.

True it is, as an eminent writer has said, that logicians may reason about abstractions—that an invisible God, worshipped in his purest essence, is a beautiful theory for a philosopher, but the great mass of mankind turn away with disgust from a doctrine that presents no image to their minds. It might have been thus in the 13th or 14th centuries; but the present era promises far more noble for man's nature. Man has reached that degree of perfection and intellectual superiority, which seems to crush the idea that he cannot commune with the source of knowledge, and find a God devoid and stripped of all earthly trappings—a pure and immortal divinity. But the present Roman Church, advocating a theory which carries man back to the time of his earliest and most savage state, and which has its foundation upon a primitive code of religion, which heathen minds, wandering in the darkness of uncertainty, have grasped at as the only way of conveying their adoration to Deity, must fall beneath the combined light of civilization and a pure and intellectual worship. The time has past, never to return, when man's reverence must be reflected, or pass through, an image to reach the source of truth. The old and ruined ramparts, worn down to the thinnest shell, which surround the now magnificent Catholic polity—composed, as they are, of Pagan worship, and sustained, as they are, by a powerful unity of mind, void of Christianity and a Christian spirit, the first breath of reform is destined to break down all her ancient and despotic land-marks and iron tenets. The reforms of the present Pope will, most assuredly, accomplish this object. The pure breeze of intelligence, which will sweep through her whole structure, must renovate, if not crush, her mighty organization. Standing on the verge of so great a precipice, with so many powerful and effective causes seeking her destruction, she must either be convulsed to her centre, or sink, with every infection in her bosom, into a merited oblivion.

Yet the Roman Church may not fall. She may remain as stately and magnificent as ever, and triumph over the difficulties which now surround her; but she will not remain the Church she is at present. A new worship, untramelled by creeds, and unaided by Virgin Mothers or patron saints, will prosper beneath her wide-extended canopy; a pure religion will invigorate her members, and a benevolent spirit will narrow down the iron bounds of her ancient customs, and the other sects and denominations assuming some of her *necessary and powerful forms*—the Roman Church, instead of being what she has been, will be again what she was in her primitive state, and accessions to her will be accessions to Christianity.

In a political and national view these reforms have a mighty influence; and they seem on the eve of accomplishing, in the short space of a few years, what has in vain been struggled for by England in 1688, and for which France underwent the perils of a Revolution, a Consulate, and an Empire. The opening of the hitherto closed doors of religion and religious liberty, has enabled the liberty-loving people of Italy to peer through the mist of darkness, and view the beauties of civil and religious freedom, which seems within their grasp. Every reform which entered Italy, that land of sunny smiles, crowded with every beauty that a ravishing and

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bountiful nature can bestow, and, bringing in every stage of her checquered existence—in her prosperity and in her adversity—a thousand reminiscences and recollections to the mind of the scholar, the statesman, and the poet—seems to draw our attention, and make a vivid impression on our minds; for, since the earliest times of her existence, she has, either by her literature, her arms, or her religion, controlled and ruled mankind.

Encouraged by the lenity of her liberal Pope, she is about entering upon a new existence; she is about throwing aside the thraldom which has bound her for six hundred years, and enter upon the glorious arena of liberty. An earnest desire for political freedom has always existed in the Italian heart, and a degree of intelligence and refinement has universally tempered this desire, until within the last few centuries. After the fierce inundations of the northern barbarians had ceased to deluge society, and a genial Italian sky had modified and acclimated their fierce dispositions, so that the arts and literature might once more regain their accustomed sway, Italy again arose, powerful and vigorous, from the new blood in her veins, to assume her glory, which had been buried for a short time beneath the general ruin of a world and a Roman Empire. As soon as society was calmed, and the deluge had subsided, liberty again visited Italy, in a milder and more benign form, than when the Plebeians of Republican Rome bowed to the aristocratic and privileged Patricians. Flourishing towns sprung up in every part of the fair peninsula, forming so many prosperous and happy republics, uncontrolled by any aristocratic power, or intimidated by any privileged nobility, and under whose rule Italy was elevated to the summit of power and wealth; and rich cities, boasting the finest picture galleries, the most extensive and choice libraries, and the most celebrated colleges and schools, sprung into existence. But her liberty fled before the irruptions of Charles VIII., and her small and happy republics became tributary to France and Spain; her religion, too, devoted to oppression, accelerated Italy's downward progress; and she has remained since disheartened and broken down, stripped of every long-worn glory and well-earned triumph.

True, a spirit of desperation has often called forth a dim and sickly fire; the cord of oppression which bound them down, often made the warm blood course freely in the veins of the passionate Italians. The mighty efforts of Rienzi, and the calm and potent policy of a Machiavelli, have in vain essayed to stay her disgraceful ruin, and shook with futile efforts her every centre to reinstate her former glory. After the lapse of six hundred years of degradation, the prime cause of her ruin, the Roman Catholic Church, seems to repent the error of her ignominious course, and she has entered upon the broad path of reform—the way to her regeneration. A dawn, as bright as that which shed its genial light upon the towers of Rome, Venice, and Genoa, after the rising sun of civilization, which had been eclipsed by the barbarism of the Goths, the Vandals, and the Huns, will shine upon a happy Italy. The pure joy of freemen will arise like perfumed incense from a thousand temples, dedicated to liberty; and the shout of liberty, arising from Italy's fair plains, will strike the icy avalanches of the Alps, and echo back even to the consecrated dome of the Vatican. Freedom is again about to take her station among the distracted, dissevered and torn republics of Italy. A new destiny, unfolding itself to view, has given her a glorious impulse—has infused new vigor and new blood in her sluggish veins, and a spirit like that which animated the citizens of one of her ancient capitals only a few months since, when the American Minister, the representative of Italy's illustrious and powerful model, rode through the streets of Florence, the people en masse left their

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business, their avocations, and even their houses of worship, to welcome him with loud shouts and thrilling huzzas, of "long live the great Republic of the United States! long live her Minister!"—pervades the bosom of every true Italian. What import is contained in this manifestation of their enthusiasm!—what an ominous sound do these suppressed murmurs of the multitude convey to the despots of the earth! It tells them that their doom is fixed—that man is rising to claim and resume his long-outraged and neglected rights.

Pope Pius IX. has done a noble act, in breaking asunder the chains which have bound the almost slaves of his dominions—an act which will fix, in adamantine characters, his name upon the top of fame's proud dome, and hand down his worthy glory to a late and grateful posterity. He has commenced upon a broad and glorious path—a path filled with the most threatening dangers and severest trials. A fierce despotism upon the one side and an Austrian absolutism upon the other, check, both by a powerful influence, and an army, which now holds forcibly the city of Ferrara, every symptom of reform in the desolate Italian states. The flame first begun, is only augmented and increased by the feeble minds which strive to extinguish it. Man, made wise by the precedents of all past time, is now competent to enjoy free, the privileges and rights which he, by his nature, possesses. The pure principles of liberty, springing from the rock where the Pilgrim Puritan first built his rude cabin, and prayed his first transatlantic prayer, has pervaded Italy and the Roman Church—and, arising from Italy regenerated, they will pass the barriers of the Alps—cross the Tyrol, and strike low the despotism of Austria, free the serfs of Russia, create in France a more successful and happy revolution, reinstate Portugal and Spain in their former glory, impel the British Empire towards the destiny pointed out by a Cromwell, and bring to a happy perfection the liberal governments of Holland and Denmark. The marks of barbarism and despotism are fast fading from the face of the earth—the scope of liberty is wider and more extended, and the time is not far distant when free principles and liberal governments will be extended over all mankind, and the measures of Pope Pius IX. will be followed by every civilized nation.

FREEDOM OF OPINION.

"Give me the liberty to know, to utter, and to argue freely, according to conscience, above all liberties."—*Milton.*

There is a principle lying at the very foundation of republican institutions, which perhaps too few of us are willing to acknowledge in its full extent and proper bearings,—*the sacredness of opinion, the inviolability of free inquiry and discussion.* When we consider that thought is free and chainless as the wind of heaven—that neither bars, nor walls, nor bonds, nor stripes, can for an instant stop its wanderings, it might seem too obvious for remark, that opinion cannot justly be the subject of human control; that every attempt to check or direct it by force must be as tyrannical as it is absurd.

A Thracian hero could brave his horrid tortures and the torturer with the proud defiance, "Beat on, tyrant! thou mayst bruise the shell of Anaxarchus, thou canst not touch himself!" A Galileo could boldly teach through his dungeon gratings, "The earth is rolling still!" Does not

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every bosom throb in painful yet exulting sympathy with these high victors? And yet who shall assure us that in their day we might not have been found among the persecutors, rather than the sufferers? Nay, is it certain, that even in our own day, the truth, or the supposed truth, is not sometimes upheld by the arm of authority and power, or restrained by weight of penalty and force? Do we never wish nor seek a legislative sanction to support our doctrines in preference to opposing ones? Is angry passion never made to supply the place of rational investigation? Do we never support the religious, or political, or reformatory measures of our particular sect, with the poisoned weapons of fierce denunciation—with despiteful reproaches and malignant anathemas? If we do so—if, though no longer permitted to apply the physical torture to correct men's notions, we yet in any case serve its purpose with the wanton infliction of mental suffering—then with all our boasted freedom, we have not yet won the soul's emancipation from the house of bondage—then are we still sustaining a despotism none the less mischievous, none the less galling, that it is more popular or less apparent than that of olden time. And is this subjection, and are such persuasives necessary to the cause of truth and virtue, of Christianity and Republicanism? Let us calmly consider if this be so.

Truth, universally, is but the concurrence and harmony of different ideas. For man, it has existence only as that agreement is seen and recognised. A proposition is true or false, as its terms are *perceived* to agree or disagree; and that perception is it, which constitutes belief or disbelief. Is the agreement doubtful? It is but saying that the truth is uncertain. Truth ever has its appropriate proofs; and upon them alone rests its title to our reception. If a proposition is incapable of its legitimate confirmation, to us it can never be an admitted truth. It is not for us, however valuable or however demonstrable it may be to other intelligences.*

If I have discovered what I conceive to be new truth, I am impelled by every principle of duty—by every sentiment of philanthropy, to make it truth to others, that they too may attain to the same high point that I fancy I have reached. But let me beware lest, in the eagerness of proselytism, I require assent founded upon other principles than those of reasoning. If fraud or force—the strong delusions of prevailing falsehood, or the influence of authority and station, of hopes and fears that I may have the power of wielding, are the means whereby I spread my doctrine, I am doing grievous wrong. My notions may be false; I may be only propagating error. Such have ever been the chosen instruments error has employed to build its empire; such never are the principles upon which truth really rests. By so much as my truth stands not on argument, by so much am I deprived of the very method, and the only method of establishing its reality. Let me beware, then, how I substitute faith for belief.

* These thoughts are so forcibly expressed by Godwin in his inquiry concerning "Political Justice," that I cannot forbear transcribing a passage or two from that work. "Every proposition has an intrinsic evidence of its own. Every consequence has premises from which it flows; and upon them, and not upon anything else, its validity depends. If you could work a miracle to prove 'that the three angles of a triangle were equal to two right angles,' I should still know that the proposition had been either true or false previously to the exhibition of the miracle, and that there was no necessary connection between any one of its terms and the miracle exhibited. The miracle would take off my attention from the true question, to a question altogether different—that of authority. By the authority adduced, I might be prevailed on to yield an irregular assent to the proposition; but I could not properly be said to perceive its truth." . . . "Truth, when adequately communicated, is, so far as relates to the conviction of the understanding, irresistible. There may indeed be propositions, which, though true in themselves, may be beyond the sphere of human knowledge, or respecting which, human beings have not yet discovered sufficient arguments for their support. In that case, though true in themselves, they are not truths to us. The reasoning by which they are attempted to be established is not sound reasoning."

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Nor would I be more justified in such a course, even were I assured by a voice from Heaven that my doctrine was correct. "If I were secured against the possibility of mistake, mischief and not good would accrue from imposing my infallible truths upon my neighbor, and requiring his submission, independently of any conviction I could produce in his understanding." My truth! I must make it another's truth, or it is worthless. As well might I tell my brother man to fatten on the food that I have eaten, as tell him to admit results without obtaining their processes. I must direct him to the source and method of my nourishment, and he must gather for himself. My convictions are as profitless to him as my digestion; they can never form part of his spiritual growth and strength; they must first become his own. We are reasoning as well as assimilating beings.

If these considerations are just, how wrongful must be every attempt of individuals or of governments to coerce belief. "To endeavor to impose our sentiments by force, is the most detestable species of persecution. Others are as much entitled to deem themselves in the right as we are. . . . To dragoon men into the adoption of what we think right, is an intolerable tyranny. It leads to unlimited disorder and injustice. Every man thinks himself in the right, and if such a proceeding were universally introduced, the destiny of mankind would be no longer a question of argument, but of strength, presumption, or intrigue."* If it be urged that some restraint other than that of argument and persuasion is necessary to control licentiousness of doctrine, and to produce some kind of uniformity in the acknowledgment of general and obvious principles, the reply is short—no species of restraint ever does or can produce this result, and every such restraint does convert men into secret hypocrites or hostile mal-contents. Restrictions on opinion never can do good, and they ever must do harm. To what purpose is it that every clergyman of England's Church is required to make a solemn avowal of a Calvinism which a large majority of them openly repudiate? Is this a fitting occupation for an intelligent and moral being? In those, above all, who claim to be teachers of the moral law, and expounders of God's will—is such prevarication decent? What shall be said of the system which has produced this state of things?†

How futile every such contrivance of church or system builders. What grossest folly do those sectaries betray, who professedly rely upon "a sound form of words" to preserve the purity of doctrine. Shall the "form" determine the belief? Then is there want of *truth*. Shall the belief interpret the "form?" Then is there *falsehood*. Do not the contrivances of articles, and "points," and creeds, for confining thought, evince either a total ignorance of the nature of mental action, or else a greater care and zeal for some sectarian dogma than for truth? Of what advantage would it be, if by some tremendous sanction I could constrain every dweller upon this wide-spread globe to repeat whatever creed may be most orthodox? Suppose the mighty work of "uniformity" accomplished, what will have been gained, but wretchedness and wrong? Words are but the vehicles for thought, and if their function be disregarded or perverted, their only purpose is defeated. Every such employment of them must be either useless or demoralizing.

* Political Justice.

† "They who contend that nothing less can justify subscription to the Thirty-nine Articles, than the actual belief of each and every separate proposition contained in them, must suppose that the legislature expected the consent of ten thousand men, and that in perpetual succession, not to one controverted proposition, but to many hundreds."—*Paley's Moral Philosophy.* Preposterous as such an expectation truly is, it is precisely the absurdity to which the votaries of intolerance are ever led. Is it not a strange and pitiable thing to see a writer of intelligence and sincerity engaged in weakly explaining away a solemn declaration, made only for convenience, and against conviction?

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The child of an unwise mother refused to say its nightly prayer, and the mother finding presuasion ineffectual, felt required to punish the young delinquent. The child persisting in its disobedience, received a still severer chastisement, until exhausted by passion and suffering, its petulance was at last subdued, and it sobbed the appointed phrase of supplication. The mother had compelled her child to pray, and she afterwards complacently related her success as illustrating the importance of a firm and proper discipline in overcoming stubbornness. She had compelled her child to pray? What worse than mockery! Poor woman, she knew not what prayer meant; and yet she piously had taught her child to pray.

It seems to be a very prevalent sentiment, that however futile every attempt to produce conviction directly by compulsion admittedly must be, the right of legislative action to suppress false and dangerous doctrines is not to be questioned, since this action is but an expression of the common consent. And how far, it may be asked, is this popular will the ultimate appeal in a scheme of government avowedly "deriving its just powers from the consent of the governed?"

A civil polity, like the steam-engine or the telegraph, is but *a convenient mechanism.* The notion of its paternal authority and divine ordainment, is fast passing with the "*jus divinam*" of kings, into merited oblivion. Government is in its very purpose a restraint. It is the organized power of the many, brought in opposition to the depredations of the few. It is force called forth to counteract force; and like all other "self-defence," it is, at best, but a choice of evils.* It is a contrivance, not in the phrase of Blackstone, for the "commanding what is right," but for the "prohibiting what is wrong." Does it have its origin in an unfortunate necessity? To necessity, then, let its restrictions be limited. Is it designed to check the violent? To violence alone, be its penalties applied. Every exercise of power beyond this, is a wanton violation of right—as much so in a popular assembly as in a peerless autocrat. Was the burning and boring of a Quaker's tongue by a Puritan "republic" less flagrant an outrage on humanity, than a similar infliction by a Grand Inquisitor, or by a tyrant Nero?

Mankind is slow to learn that "the world is too much *governed.*" Even in our own most wise and happy system, we have not distinguished, with sufficient watchfulness, the legitimate boundaries of governmental action. We have not reached the highest, simplest phase of political freedom. A pure democracy does not consist in the unquestioned might of a majority, but in the protected right of all. The true object of a popular government should be "the greatest good of the greatest number;" and this greatest, widest welfare, is secured only by carefully restricting the sway of the many to that particular range of exercise which is *necessary* for the safety of the whole.†

Let us see how far this obvious truth is practically sustained among us. A man believing that the spirit and genius of Christianity is opposed to the taking of human life, refuses to take arms against his fellow-man; and because a majority of Christians read their Testaments differently, they brand him as a coward, and assume the right to punish him for his heretical opinions. They inflict a penalty upon him, not as is even pretended, for doing injury and violence, but for resolutely abstaining from them. Could anything be more oppressive and unjust? It is in vain to answer that the fine exacted for a refusal to perform military duty, is designed merely as a com-

* "Society is produced by our wants, and government by our wickedness. Society is in every state a blessing; government, even its best state, but a necessary evil."—*Paine's "Common Sense."*

† "Since government even in its best state is an evil, the object principally to be aimed at, is that we should have as little of it as the general peace of human society will permit.—*Political Justice.*

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pensation to the state for its loss of service; it is in every respect a *punishment* undistinguishable from that inflicted on a multitude of low offences. The popular sentiment that draws a dividing line between the cases, is growing, not in consequence of, but in opposition to the tendency of our legislation.

We see in the establishment of *criminal prosecutions* for libel, (which construe the truth of the allegation into an aggravation of the wrong,)* another of the existing methods of fettering opinion and its expression. If malice has inspired the libeller in his publication of the truth, he is best punished by the temperate reproof, or the silent scorn of the wise and good. If philanthropy have prompted the exposure, what shall be said of its *punishment?*

If it be urged that popular or penal checks are useful—not directly to prevent wrong opinions, but to prevent their propagation, I answer, that still their application is no less unjust. Every conscientious man feels that it is his duty to spread as widely as lies in his power, his convictions of truth, however unpopular they may be; or rather that his duty so to do, increases with their unpopularity. And who dare say him nay?

It may be said that public or private influence can, at least, be beneficially exerted to strengthen admitted proofs by additional sanctions; not indeed to oppose conviction, but to co-operate with it, when it is not sufficiently confirmed to regulate human conduct. "Ought it to be thus durable and profound? There are no doubt arguments and reasons calculated to render it so. Is the subject in reality problematical, and do you wish by the weight of your blows to make up for the deficiency of your logic? This can never be defended. An appeal to force must appear to both parties, in proportion to the soundness of their understanding, to be a confession of imbecility. He that has recourse to it, would have no occasion for this expedient, if he were sufficiently acquainted with the powers of that truth it is his office to communicate."†

Perhaps it will be here asked—"Shall we then allow unrestrained liberty to every dream of madness? to the most mischievous doctrines, as readily as to the most beneficial? Shall there be no rebuke for political or moral heresy, however dangerous its tendency, however disorganizing its avowed object? Or, on the other hand, while disregarding the artful demagogue, who has incited others to violence and revolt, by 'publishing his opinions,' shall we punish the misguided tool who has but carried out his teachings into practice?"

No principle can be clearer than that the direct persuader to outrage is as real a depredator, and is as justly liable to punishment, as the agent he has thus incited or employed. We must exercise the greatest caution, however, not to permit our disapprobation of erroneous teaching to extend this obvious truth to the controlling of that expression of sentiment which neither designedly nor legitimately tends to open violence. There is ever more danger that passion will enlarge the admitted ground, than that excessive toleration will unduly contract it. We must be careful not to make the apparent or perverted applications of the wrong-doer the pretext for punishing the wrong-thinker. Rightly understood, and strictly carried out, the principle forms no real restraint upon the freedom of opinion, but directly the reverse. It is precisely as the disturber uses or urges violence, precisely

* This feature of jurisprudence has happily been erased from the statutes of New-York.

† Political Justice.

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as he endeavors to *enforce* his views on others, that he becomes obnoxious to the restraints of penal discipline.

To the other query I would briefly answer, there is no rebuke for heresy but refutation. Do you tell me that you fear disorganizing doctrines will ultimately prevail, if every shackle be removed from free discussion? Then do you tell me that you fear they may be true, for only so can they prosper. Never let us forget the high words of our great apostle of Democracy: "If there be any among us who would wish to dissolve this Union, or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated, where reason is left free to combat it."*

What shall be said of our *religious* legislation? How shall we reconcile the various restraints imposed upon a dissenting minority, with the acknowledged right of every one to think and reason and decide for himself? How, if each human being is responsible to his God alone for his theology, shall he be at the same time responsible to his fellow-creature? Is the subject one which "ought not to be agitated nor discussed?" What fuller proof than the bare suggestion could we have, that there is wrong and falsity that seek and need concealment?

The Jew, the Infidel, or the Sabbatarian Christian, for doing what he may conceive to be his duty, is liable to punishment as a "Sabbath-breaker," because a majority of his fellow-citizens esteem the time employed by the duty as holy time. This glaring violation of the rights of conscience is attempted to be justified on the grounds, that the absence of Sabattic regulations would lead to a desecration of holy time as well as to general irreligion; and that the worshippers upon the appointed day, who constitute a large majority of the community, have a right to be protected from the interruptions of a worldly tumult.

To the first ground it may be answered, that religion is not, and cannot be the appropriate province of legislative enactment. It is essentially a subject of sentiment and conviction, not of action and observance, and therefore lies totally beyond the reach of penal enforcement. It is not for government to decide which is the true religion, or what is holy time. These are matters to be decided only by the reason and conscience of each man for himself. Besides all this, the suggestion overlooks the important fact, that the enforced observance of the Sabbath against conviction, is no more a real "sanctification" of the day, than useful labor would be. To one class of believers, therefore, the law is needless—to the other class it is useless—to the rights of both, it is injurious.

On the other consideration it is only necessary to remark, that every worshipper is undoubtedly to be protected from disturbance. But if this be the object aimed at, why is it not attained by its appropriate and specific method? Why make a universal *religious* observance the pretext of securing rights? But the argument is disingenuous. This is not the real ground of Sabbath ordinances, as is fully proved by the fact, that the minority who obey the fourth commandment of the decalogue literally, by worshipping on the "seventh day," are not in like manner protected by public restraints from labor on their *Sabbath*. And will it be said that the religious rights of a minority are any less inviolable than those of a majority?

Most of our states are secured by their constitutions against "religious

* Jefferson's Inaugural Address.

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establishments;" and it is a curious illustration of the influence of sectarian bias on the judgment, that while the tribunals of one state have decided that Sabbath legislation *is* a "religious establishment," those of another have decided that it *is not*. The subject, surely, does not require much argument. May not political law as justly appoint one day of the week a fast-day, as another a rest-day? Is it more democratic for a "Lord's-day" majority to enforce their belief, by compelling men to abstain from work on Sunday, than it would be for a Catholic majority to enforce their's, by compelling men to abstain from meat on Friday? The question must be settled by principle, not by prejudice.

Blasphemy is another political "offence against God and his holy religion," for which our statutes have made provision; though it is not always easy accurately to define the meaning of the term. Nearly all agree that the Atheist blasphemes, when (no matter how sincerely) he denies a God. To most persons the Deist and the Jew blaspheme, when they pronounce Jesus an impostor. To others the Unitarian blasphemes, when he refuses to acknowledge him as Deity. To a majority the Catholic blasphemes, when he worships a Jewish maiden, or declares that the eucharist contains the body of a God. Nay, you shall not read an earnest treatise on the Calvinistic and Armenian controversy, without finding that either side accuses the other with the awful crime of "blasphemy." What judicial tribunal has the wisdom or the right to decide which of all these is the real blasphemer? That tribunal only which shall have the wisdom and the right to establish true religion.

If any one should denounce the wild licentiousness of opinion which is here vindicated, and warmly contend that every wrong must find its advocate, and every error of depravity flourish, when there shall no longer be any restraints upon them but those of ineffectual argument,—if any one should tremble for the cause of religion, when thus entirely unsupported by the authority of the state, and confidently prophesy the downfall of morality, the rapid prevalence of confusion, misrule, and horrid "Jacobinism,"

—— "all monstrous, all prodigious things;
Abominable, unutterable, and worse
Than fables, yet have feigned or fear conceived—
Gorgons, and Hydras, and Chimeras dire,"

When "the flood-gates of impiety and vice" shall be thus swept away by a universal toleration of absurdity and disbelief, I would calmly repeat to him the glorious and immortal words of republican Milton: "Though all the winds of doctrine were let loose to play upon the earth, so truth be in the field, we do injuriously by licensing and prohibiting to misdoubt her strength. Let her and falsehood grapple; who ever knew truth put to the worse in a free and open encounter? Her confuting is the best and surest suppressing. * * * For who knows not that truth is strong next to the Almighty? She needs no policies, nor stratagems, nor licensings, to make her victorious; those are the shifts and the defences that error uses against her power. Give her but room, and do not bind her when she sleeps."* Such is the majestic reply which the free soul gives to the timid counsels of narrow bigotry and short-sighted intolerance.

It is not in our civil institutions alone that we find injurious trammels upon the liberty of thought. In the whole spirit and tendency of our

* "Areopagitica."—An appeal to Parliament in behalf of the liberty of the Press.

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moral and popular organizations, there exist most effectual obstacles to the freedom of inquiry, and consequently to the discovery and dissemination of truth. Our theological systems present but too striking an illustration of this restrictive influence. The popular test of orthodoxy would appear to be the fierceness of invective and denunciation; and from a thousand discordant pulpits, (in this alone concurrent,) the lesson is practically inculcated, that the zeal of sectarian hatred for a theological opponent, is the measure of the Divine approbation; that lenity to his heresies, or indulgent attention to his arguments, is among the most unpardonable of weaknesses. In this uncompromising hostility which the many sects of Christendom manifest toward each other, we see an agency utterly at war with all enlightened investigation, or even rational conviction of religious principles.

In the conduct of our political associations, we observe the same unworthy methods of advancing a cause, *almost* the same display of rancour and implacability towards those who will not support it. What should be calm discussion—the high prerogative of intellect degenerates into bitter altercation—the commonest resort of vicious passion or brutal force. If there be aught of principle in governmental policy; if there be aught of truth in political science, surely it is the interest of all of us to develope that priciple, to discover that truth. Will exasperated feelings render us more clear-sighted in our researches, or better qualified for accurate reasoning in difficulties and uncertainties? Will intolerance of opinion be the best method of proving to others the justice and wisdom of our views? Will contumely make ascertained doctrines in anywise clearer to him who uses it, or in anywise more convincing to him who suffers it? Far otherwise. The angry passions which are mutually so assiduously fostered, form a temper of mind peculiarly unfitted either to the communication of truth on the one side, or to its reception on the other, even supposing that it has been really discovered. Not from such soil will the tree properly germinate; not in such an atmosphere will it put forth its fairest branches, or bear its ripest fruits, however divine may have been the seed, or however carefully it may have been planted.

If we glance at the operation of those bodies instituted among us for the promotion of the different meritorious reforms of the day, we are still presented with much, very much of that animosity which is here condemned as infringing on the true liberty of opinion. There is certainly a way of expressing truth with such benevolence as to command attention, and such evidence as to enforce conviction." And we might expect that here at least, where none of the selfish motives which may be supposed to influence the others, are likely to exist, the advocates of the projected melioration could unfold their principles, and trusting only to their intrinsic excellence, and to the simple power of argument, could calmly and confidingly await the result. But how different is the fact. How frequently do we find those who claim, and who deserve the high title of "reformers," addressing themselves to passion and prejudice. How frequently, striving by the influence of mere combination, and other extraneous advantages of circumstance, to effect results that should depend solely on the unbiased deductions of reason. How *generally*, vituperating those who oppose their projects, and withdrawing from their intercourse to the exclusiveness, the "close communion" of their own narrow and high-walled party.

This Pharisaism appears to be almost unavoidably attendant on specific organization, and frequently to more than counterbalance the

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benefit contemplated by a union of effort. Persons drawn together by one common and pervading interest, seem almost necessarily to be by so much separated from other interests and objects. The sympathetic enthusiasm concentrated upon one great cause, is so much taken, as it were, from a universal charity,—a draft upon the fund of general brotherhood. Accustomed to hear the same truth or system of truths constantly reiterated, and totally abstracted from its connection with those collateral truths which lie without the range of the particular movement, what wonder is it that the earnest partizan should see his great idea swelled—by the very closeness of his contemplation—to most colossal importance? For, by the laws of mental perspective, (as universal as those which regulate the physical sight,) an exaggerated image is the inevitable result of too intent or exclusive a survey; and in proportion to the observer's zeal and constancy, this distorted perception may easily be made to obscure, or totally conceal, other truths of perhaps even far greater weight of relative importance.

A natural result of this intense apprehension of some single object, is, that it tends to cloud a due attention to the general peace and welfare. The ardent disciple of innovation, thoroughly impregnated with a sense of the overwhelming moment of his principles, is ever anxious to anticipate their consequencés. Dissatisfied with the slowness of the popular appreciation of his projects, (the very consequence of his own intemperateness,) he is ready to leap to their accomplishment by any means that may avail him—even though it be by revolution; confident that the glory of the end cannot fail to approve the method of its attainment.* This violent *upturning* of prevailing systems—this introduction of some new truth, or supposed truth, by the arm of force, is an expedient that can be justified only in very rare and extreme contingencies. It is the last resort of injured right, when all other means have failed. It is in every case an evil; and especially under a government which, of all others upon earth, imposes the fewest restraints on the mutual communication and enlightenment of opinion,—it must be deprecated by the patriot as the worst of calamities. The very supposition of a necessity for having recourse to it, can only be an admission of the intrinsic weakness of the principles sought to be established. It is the senseless effort of fanaticism (no matter how benevolent) to compel the adoption of conclusions which would not otherwise be received. It has been well observed, that while *reform* is the natural fruit of reason, *revolution* is always more or less the product of passion. The one operates by the gentleness of persuasion, the other by the madness of force. The one acts through a moral, the other through a physical necessity. "They begin at the wrong end, who make haste to overturn and confound the usurped powers of the world. Make men wise, and by that very operation you

* "The remark can scarcely be repeated often enough, that however beneficial any proposed change in the policy or government of a country may be, it may not unfrequently be productive of evils on its too sudden introduction, which will more than compensate the good which it is fitted eventually to confer. It is from a forgetfulness of this important principle that the more zealous, and at the same time inconsiderate portion of the friends of political improvement, are occasionally ready to plunge into all the miseries of a *revolution*, when the object in view could be much more effectually, and more speedily too, attained by the exercise of argument instead of violence. They are also apt to forget that it is seldom a change of any kind, in the political or social relations of society, can be beneficially carried into execution, before public opinion, or at least that of a majority of the individuals who are chiefly concerned, can be induced to declare decidedly in its favor."—*Vethake's Political Economy:* B. iii. ch. 18. This instructive work should be generally read and studied. The able dissertations of the author on the subject of banking institutions, and restrictive duties upon commerce, are worthy the attention of every enlightened citizen.

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make them free. Civil liberty follows as a consequence of this; no usurped power can stand against the artillery of opinion. Everything, then, is order, and succeeds at its appointed time. How unfortunate is it that men are so eager to strike, and have so little constancy to reason."*

The very extension, therefore, of intellectual liberty, becomes the most effectual means of fitting men for the full estimation and occupation of the high ground towards which enlightened philanthropy is beckoning them. Depending on no principles which do not command conviction; receiving no institution whose advantages are not fully comprehended, mankind is thus prepared to realize the greatest benefit the onward advance is capable of yielding; and not only the outward form of change, but what is of infinitely greater value, its inward spirit will have been best secured. The history of society, then, becomes a continuous series of reforms—almost insensibly attained, without one mischief of revulsion, without one apprehension of re-action. Thus we see how an unlimited freedom of opinion developes that highest power and majesty of intellectual being—the dawning gospel of the present era—"MORAL SUASION;" how, as the empire of force shall yield to that of reason, the great cause of republican progression shall vindicate its claims, and the sun of truth and righteousness shall emerge to its millenial brightness, from the very clouds and storms of opposing elements—the mighty conflicts of mind with mind;—the only battles where Right alone crowns the victor, and the only ones whose conquests are achieved with the universal joy and gratitude of the conquered.

* Political Justice.

THE CHILDREN OF FRANCE.

FROM THE FRENCH OF BERANGER.

The spoliation alluded to in the third stanza was the restoration of the choicest pictures and statues in the Louvre to their former owners; a measure insisted on by the Allies at the downfall of Napoleon.

QUEEN of the world! O France! my country, now
At length lift up thy cicatrised brow:
Though soiled and rent thy children's standard lies,
Their glory rests untarnished in thine eyes.
When o'er their valour Fortune cast a spell;
When from thy hands thy golden sceptre fell;
Thy very enemies the cry did swell,
Honour to the Children of France!

Thy grandeurs, France, thou did'st, at need, resign;
And make thy name o'er ills triumphant shine.
Fall though thou may'st, 'tis like Heaven's bolt, in air
That lifts itself again, still muttering there.
The Rhine, through banks now ravished from thy sway,
Winds with regret its tributary way;
And from his bed of reeds we hear him say,
Honour to the Children of France!

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Barbarian coursers did their foot-marks trace
Profanely on thy fields—those marks to efface,
Hath Heaven on thee e'er looked more kindly down?
See, how those fields the plenteous harvests crown!
Prompt to avenge of well-known theft the shame,
Lo! the Fine Arts uphold their altars' fame;
And graven there in deathless strokes proclaim
Honour to the Children of France!

To History's accents let thine ear be lent:
To thee what ancient people hath not bent?
What modern people, envying thy renown,
Hath not before it many a time bowed down?
In vain hath England to the balance brought
Her gold, that kings, for conquest, humbly sought;
Dost thou not hear the words by ages taught,
Honour to the Children of France?

God, who his rod o'er slave and tyrant sways,
Would have thee free, and free for all thy days.
Let not thy pleasures longer be a chain;
The Loves from Liberty a smile should gain!
Throw by her *lance*—'tis thine her *torch* to take,
And teach the world—a hundred tribes shall break
Their fetters, whilst this chorus they shall wake,
Honour to the Children of France!

Queen of the world! O France! arise, arise,
The proudest laurels yet shall be thy prize:
Yes, it must be; a fruitful palm-tree blooms,
From age to age to shield thy children's tombs.
Ah! may the passer-by, (such hope is sweet)
Struck with the love I bore my country, greet,
Some day, *my* tomb, and *there* these words repeat,
Honour to the Children of France!

LINES.

WRITTEN IN AN ALBUM,

Long may this album of a songster tell,
Whose ripened age his tender tone belies;
Who saw in thee grace, goodness, candour dwell,
And was, one moment, duped by thy bright eyes.
Through love? Ah! no—love could no more beguile;
But by thy flattering notice led astray,
He deemed that Beauty's smile
Was Glory's ray!

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THE MIDDLE KINGDOM.*

We have here twelve hundred octavo pages of letter-press, illustrated with numerous and well-executed cuts, and much enhanced in value by an accompanying and very minute map of China and its dependencies, dressed up in two volumes, as Chinese in appearance as is possibly consistent with an American book. Their covers are as yellow as a Manchu's girdle, and as devoid of beauty as a Manchu's face. But the cover of a book, albeit a very useful part of a book, is of little importance compared with the matter of the book, the style of the book, and the truth of the book.

These volumes exhibit much labor on the part of their author, who has unfortunately been more content to give us other men's opinions, laboriously culled from half-a-dozen sources, than his own observations made through a residence in China of twelve years' duration. Indeed, the number and variety of his sources, of not information merely, but of views and reflections, are too abundantly exhibited throughout the whole book, in the frequent discordance of opinion, amounting, in some instances, to no less than absolute contradiction, and often to a degree of disagreement serving to vex and confuse the reader.

> Purpureus, late qui splendeat, unus et alter
> Assuitur pannus.

There are, besides, scattered throughout these volumes, certain errors of various kinds, which exhibit a carelessness and want of that *limæ labor*, which, though perhaps to be pardoned in the author, are nevertheless not to be overlooked by the faithful critic. A few specimens will exhibit their character. As illustrations of verbal blunders, we might notice the use of *limits* for *range*; and of *proportion* for *ratio*. Of a more pardonable sort is the information that pears are brought to Canton for sale weighing 8 or 10 lbs., for we suspect the proof-reader might be charged with this. We are free to confess ourselves no wiser than the Chinese, in not knowing that "*grapes contain wine.*" Mathematicians would call such propositions as the following identical, viz.: that the poor of Peking are "*needy*" and troublesome; and that a Chinese traveller by water chooses "a place in the cabin his own size," whereon to sleep. Chemists would tell Mr. Williams that the materials of which *peh tung*, or German silver, are composed, are not "distilled from their ores, and their vapors condensed in water," since neither copper, nor nickle, nor iron, are otherwise than fixed, even at the intensest temperatures art is able to subject them to. So they would tell him that the composition of the gong metal is no more of a mystery than that of the *peh tung*. And it would not need a chemist to inform him, that the idea that water will boil sooner in an earthen than in an iron pot, and "that caloric seems to permeate" the stone sooner than metallic ware, is decidedly unreasonable and unworthy. We might very justly complain, we think, of the frequency of his illustrations, drawn from England, and English scenery and society. It is no excuse that he was writing for the English as well as for his own countrymen. Let a book,

* The Middle Kingdom: A Survey of the Geography, Government, Education, Social Life, Arts, Religion, &c., of the Chinese Empire and its Inhabitants. By S. Wells Williams, &c., &c. In two volumes. New-York and London: Wiley & Putnam.

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like a man, be one thing or the other, American or British, it matters not, so that it be not both.

But if we might find fault, we are bound to praise. There is contained within these volumes a mass of information upon the interesting subject of which they treat, which needs to be known. We have too long regarded the "Celestials," as we have chosen to call them, for it is no name of theirs, as a sort of outside barbarians, whom it was proper to laugh at, for what we took the liberty to call their oddities, but for whom, as belonging to humanity, and as brethren in descent from one common parent, we have felt about as little sympathy as we may sometimes have detected ourselves in bestowing upon the benighted indwellers of Symm's hole. A perusal of Mr. W.'s book would cure this. The reader would close it with the conviction that China, not less than various portions of Europe, is worthy of a place in his regard; and that the same fellow-feeling is due to its countless millions of oppressed and degraded men, as is due to less distant, but not always more deserving recipients of it. But there are many whose inclinations, or whose pursuits, will not permit them to read this work; and for a portion of this class is it that we have written what we have upon this wonderful people; wonderful in their antiquity; in the immensity of their numbers; in the extent of their literature; in the strength of their seemingly-powerless government; more than all, in their independence of some circumstances unpropitious to improvement, and their dependence upon others, which, at the proper, and no distantly-future time, promise their elevation to Christianity, enlightenment, and freedom. And we purpose to discuss the subject in the order of the constitution and government of China; of the social condition, including the arts and sciences of its people; and finally, of its literature.

That government, under which one-third of the human race consent, or are compelled to live, ought to possess sufficient interest for the remaining two-thirds, to induce them to investigate its history, constitution, and practical workings. Moreover, a government which stands to-day the living representative of whatever may have preceded it for *forty-seven hundred years*,* that the independent kingdom of China has existed, adds to the interest which the before-mentioned considerations might excite. In other words, the antiquity added to the extensive sway of the Chinese government, make it a subject eminently worthy the consideration of any one. During this long interval, from B. C. 2852, or 47 years before the death of Noah, to the present epoch, two hundred and forty-three monarchs have sat upon the throne of China, belonging to no less than twenty-six dynasties; for there, as elsewhere, sloth and luxury have begotten effeminacy, and some strong and ambitious general or minister has taken advantage of the times to place his own family upon the throne, and himself at the head of a new dynasty. Twice, also, have different foreign hordes conquered China by war, to be in their turn conquered by peace, and swallowed up by the more vigorous, if not stronger conquered race. These were the Mongols and Manchus, the latter of whom became masters of China in 1628, and are such still. Masters, because the emperor is a Manchu, and the better part of his ministers. A Manchu army dwells within the citadel of every city. Intermarriage is forbidden between the races; the young

* It would be foreign to our purpose to discuss, on the present occasion, the credibility of the Chinese claim to so great antiquity as that mentioned in the text. It may be sufficient for the present to say, that the probabilities are certainly in favor of their claim, and opposed to the generally received chronology, since either the Samaritan version of the Scriptures, the Septuagint, the Vatican, or the Alexandrian, as well as Josephus, all allow time enough since the deluge to free these Chinese demands from any improbability.

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Manchu is exempt from the first three literary examinations; and when punishment is inflicted, the whip upon the Manchu's back supersedes the bamboo upon that of the Chinese. Moreover, every Chinese bears upon his person a mark, in his shaven crown, of his subjugation.

At the head of the government, supreme above all, and regarded as the vicegerent of heaven, stands the emperor. He is entitled the "celestial" sovereign. He is addressed as "the sire of ten thousand years." He styles himself the "solitary prince." His palace is the "ninth entrance," the "vermillion palace," the "gemmeous steps." To see him is to see the "dragon's face," and his throne is the dragon's throne; and he is literally worshipped by one-third of mankind. "He is the head of religion, and the only one qualified to adore heaven; he is the source of law and dispenser of mercy; no right can be held in opposition to his pleasure; no claim maintained against him, and no privilege protects from his wrath. In short, the whole empire is his property; and the only checks upon his despotism are public opinion, the want of an efficient standing army, poverty, and the venality of the agents of his power."

The right of succession is not confined to the eldest male child, nor even to the family of the monarch, since the crown, forming part of his personal possessions, is bestowed as a legacy upon whomsoever he pleases. The present emperor is his father's second son, and Chinese history is full of departures from western habit upon this point.

Besides those belonging to the royal clan, to the descendants of Confucius, and to those of a few other distinguished men of antiquity, there are no hereditary titles in China. Nor are the titular nobility, whether hereditary or otherwise, possessed of much power, wealth, land, office, or influence. There are, also, besides the privileged nobility, eight ranks or classes—the Mandarins of writers—whose possessors are endowed with certain privileges and immunities. They are each distinguished by a differently colored ball of glass or stone upon the apex of the cap, and by some other peculiarities of dress. Subjects can be honored with any one of these ranks, or displaced from any, or transferred from one to another, upwards or downwards, at the emperor's will.

We have, then, in China, an absolute monarch, but no rich and powerful aristocracy, as in Russia or Austria. Let us examine the condition of the third estate—the *tiers d'etat*, the people. Below the emperor is the whole body of the people, supposed by law to be bound implicitly to obey his will, as being that of heaven, and to possess no property or right of property; in short, having nothing but what was derived from him, and must be restored to him at any call. "There is no word for *liberty* in Chinese." Legally, the subject can have access to the magistrates; he is secured protection from oppression and can appeal to the higher courts for redress. "But," says Mr. W., "if he be poor or unknown, his legal rights, as a defence against official oppression, avail him little. He is too deeply imbued with fear; he can place too little reliance upon his neighbors and friends for support and assistance, and he is too ignorant of his rights to demand redress. Besides, his whole energies are directed into two channels, viz.: labor for bread, and study for office." The absence of a profession specially instituted for the instruction of men in their rights, and in their maintainance before the authorities, may contribute to the same result. But then, it may be urged on the contrary, we think, that the existence of the clans, guilds, and associations, both secret and public, into which the people are so universally divided, must militate, to some extent, against one of the before-mentioned considerations; that, moreover, in the villages and in the country, where the people can depend upon each

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other, they might very naturally combine to resist illegal oppression; and that the real condition of the great mass of the people out of Canton and those neighboring towns, and the few seaports, where they have been observed by Europeans, may be vastly better than Mr. Williams represents it; and that at least it may be safely said to be far too little known to be correctly judged of by foreigners. But we shall revert to this subject again.

In the government of this vast empire, the emperor is assisted by a variety of cabinets, boards, and bureaus. Besides many precisely representing similar governmental machines in the west, we might particularize several which would, from their singularity, if from no other reason, present interesting features to an American reader. One Chinese anomaly, which we might mention by the way, is the custom, as singular as it is antipodal, of opening their offices and commencing, instead of closing their official labors, at day-break.

There is one board which attends to the bestowment and distribution of titles, patents, and posthumous honors. For it is a Chinese custom to ennoble the ancestors of any one newly-honored with title or office. This is done because the honors paid o the dead are proportioned to the rank of the dead, and not to that of the worshipper. To enable him, therefore, to perform these ceremonies with eclat befitting his new rank, his ancestors are ennobled.

The Board of Censors is also one which has attracted much notice from writers upon China. Among the duties pertaining to the office, are those of preserving an official record of all state occurrences, and of reproving the emperor if his conduct merits it. The freedom and candor with which this latter duty is performed in a despotic government is remarkable. An anecdote will illustrate the truth of our remark. It is recorded that during the Tang dynasty the monarch requested to inspect the historiographer's office, that by learning what was there, day by day, recorded of his conduct, might teach him his errors, and to so shape his course as to make his name illustrious to posterity. "It is true," said the censor, "your majesty has committed a number of errors, and it has been the painful duty of our employment to take notice of them; a duty which farther obliges us to inform posterity of the conversation which your majesty has this day very improperly held with us."

Then there is another board which has charge of the "Peking Gazette." This celebrated affair is not a newspaper, as might be inferred from its Anglicised name, but consists of a compilation from the papers presented before the general council of the empire. "Every morning, ample extracts from the papers decided upon by the emperor, including orders and rescripts, are placarded upon boards in a court of the palace." Couriers are likewise despatched to all parts of the country with copies of these documents to the high provincial officers. This is the Peking Gazette, which is copied, abridged, and printed all over the kingdom by private enterprise.

Another feature in their system, is the very peculiar one of requiring every officer triennially to report to the authorities at Peking, an account of the merits and demerits of all the officers below him within his immediate jurisdiction. The points of character are arranged under the heads of dilligent and the reverse; the efficient and the inefficient; superficial, untalented, superannuated, &c. According to the nature of these reports, officers are elevated or degraded by their master. The following extract, from an imperial edict, written after the perusal of a set of these reports, illustrates the workings of the system. After praising and promoting a number of officers, his majesty goes on to say:

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"Kulisan, subordinate minister of the Cabinet, is hasty and deficient, both in precision and capacity; he is incapable of moving and acting for himself; let him take an inferior station, and receive an appointment in the second class of guards. Yetshi, Vice-President, &c., possesses but ordinary talents, and is incompetent for the duties of his present office—let him take an inferior station, and be appointed in the first class of guards. Ching, &c., finds his energies failing. Tang, Governor, &c., possesses barely an adequate degree of talent and knowledge. Let Narkinge take the lower station of Lieut. Governor of Hunan, and within one year, let him, by the apprehension of Lan, show that he is aroused to greater exertions."

We cannot suppose that the censorship amounts to much, but we should imagine that this last mentioned arrangement might be productive of good, both to the people and the emperor.

The laws of China are comprised in a code. This code has been translated into various European languages, and wherever it has been read, it has received the warmest encomiums from those qualified to judge of its merits. One writer says of it: "Redundant and minute as these laws are in many particulars, we scarcely know a European code that is at once so copious and consistent, or is nearly so freed from intricacy, bigotry and fiction." It is printed in twenty-eight volumes; a new edition is published every five years, and it is accessible to every one. But we find ourselves unable to present our readers with any special notice or analysis of its provisions.

Having taken this brief review of the Chinese constitution, the interesting question now presents itself to the true student of humanity and its creatures, human government and human society, what, after all, with their patriarchal theory of government, with their freedom from aristocracy of any sort, with their code, with their overburdening numbers, is the civil condition of the people of China? Is life protected? Are liberty of person and the right of property secured? Is the pursuit of happiness guaranteed to all? That government of which the affirmative of these interrogatives could be predicated would be a perfect government, and it will not, of course, be expected that it can be affirmed of heathen China. But we should infer from a perusal of Mr. Williams's remarks upon the practical effect of Chinese law—remarks, however, not always consistent with themselves, and sometimes altogether too sweeping in their tone, and ultra-comprehensive in their extent, that in his opinion human life was pretty safe, both from private assassination and official murder. The peaceful and timid nature of the inhabitants tends much to the existence of the former fact; but the existence of the latter is secured both by the nature of their code, and by the strength of a government which manages to have an eye everywhere, and an arm, though weak, yet long enough to reach to the utmost bounds of the empire. The existence of the clans already referred to, doubtless points to the same ends, though it is yet rife in contrary, and not seldom, terrible results. There are in all China, about four hundred of these clans, just analogous to the Highland clans of Scotland. It must be considered, however, that as they are each of them more or less scattered all over the kingdom, and as each separation really results in the establishment of a new clan, their number might be taken as greatly superior to the one mentioned. These clans find means to revenge murder when the law fails to do it; and thus, while in the first place they afford motives to the prevention of murder, yet where such a crime has once been committed, their influence must be in the highest degree inimical to public safety and peace. From official murder, a protection also lies in the right of appeal to the emperor, which generally belongs to the person convicted of a capital crime.

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Not so favorable an answer can be given to the second interrogatory. It seems but a small matter for an official himself, combining in his powers what in more civilized countries pertain to two branches of government, executive and judicial; checked in his judgments by no juries, and but slightly by public opinion; accountable to no one but a distant emperor; with no bar to bias his judgment, or perhaps to enlighten his understanding; we say it seems but a small thing for such a man, where passion or prejudice demand it, to shut up in prison accused and witnesses together. An officer, too, who has the power to submit the accused to torture, to twist his ears, squeeze his hands and ankles, or apply the bamboo to his back, must have, we think, a pretty ready hold upon his purse. Nor are Chinese officials of any grade necessarily above bribery, nor all of them above plunder; though fortunately for the people, they have less motive for extensive and secret plunder, than for small and open bribery; for they have all above them a government quite as needy, and quite as eager for spoil as it is willing to punish injustice and illegal peculation. It is but a few years since a prime minister of China was overthrown by the present monarch as he came to the throne, and one hundred and five millions of dollars found in his possession and forfeited to the crown.

Any government, to be efficient for the protection of the good against the bad, and thus to secure the rights of property to all, must possess the strong influence of public opinion to back it, or the power conferred by the existence of an aristocracy, or by the possession of a numerous and disciplined army. We might adduce our own country to illustrate the first, Russia the second, and Poland or Ireland the third of these statements. China possesses but a small share of the first, none of the second, and but a shadow of the third of these influences; and therefore it is, that in spite of its most strenuous efforts, robbery, piracy, incendiarism and theft prevail to a fearful extent. Debts contracted cannot be collected by resort to law; and hence, capitalists cannot safely invest their money in those positions, where, in other countries, it is made to benefit not the proprietor only, but the enterprising and the industrious.

But there are features in the civil condition of China of much interest; one is, that its people elect at certain intervals an officer, whom they style the "village elder." This man is entrusted with certain police duties; he receives a salary fixed and paid by his constituents; and he is become, partly by the nature, but more by the tenure of his office, a daysman between the people and their rulers. Again, we see manifested in various ways a spirit of resistance to excessive tyranny, which contains within it the germ of future liberty to China. During the opium troubles lately, the officers announced their intention of searching the shops of a certain street in Canton for opium; they were met at the end of the street by the shopkeepers, who told them they could by no means be permitted to carry out their intended search—and the point was gained. At another time it was understood that the literary chancellor and examiner of the province of Kuangtung had been guilty of some malversation connected with his literary duties, whereupon the candidates refused to appear before him, and he was finally removed from office by the Peking government. We cannot wholly despair of a people who, like the Cantonese, possess a "ming lung tsang," a "*free discussion hall.*" Give China plenty of ming lung tsangs, give it the Bible, and it will soon form part of the moving, busy world—it will become the England of Asia.

Having said thus much upon the first branch of our subject, possibly more than the comparative interest of it demands, we have now to consider the social condition of the Chinese, together with their industrial arts; and in

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pretty closely following the order marked out by our author, we shall be pardoned if we seem desultory.

The architecture of the Chinese is not of a character to command respect, their buildings being universally constructed of materials not calculated to last, and in a style still confessing the type of its origin, a tent. Their gardens and grounds, though perhaps fantastic in the details of their arrangement and ornament, are, nevertheless, in many respects, extremely natural and beautiful, and they have universally excited the remark and admiration of travellers. Every one who has read the account of the royal gardens, by the historiographer of Macartney's expedition to Peking, will remember an instance illustrative of the truth of what we say. Their cities are devoid of beauty, whether beheld from a distance, or viewed through their narrow, crowded, noisy streets. And yet the coup-d'œil of their scenery is not without its beauties. Says Milne, in the Chinese Rep.:

"The plain in which Ningpo lies is a magnificent amphitheatre, stretching away from twelve to eighteen miles on one side to the base of the distant hills, and on the other to the verge of the ocean. As the eye travels along it catches many a pleasing object. Turn landward, it will see canals and watercourses, fields and snug farm-houses, smiling cottages, family residences, hamlets and villages, family tombs, monasteries and temples. Turn in the opposite direction, and you perceive a plain country descending towards the ocean; but the river alive with all kinds of boats and the banks studded with ice-houses, most of all attract the attention. From without the city, and while still upon the ramparts, look within the walls, and you will be no less gratified. Here there is nothing European, little to remind you of what you have seen in the west. The single storied and the double storied houses, the heavy prison-like family mansions, the family vaults and grave-yards, the glittering roofs of the temples, are entirely Chinese. The attention is also arrested for a moment or two by ditches, canals, and reservoirs of water, with their wooden bridges and stone arches.

The Chinese travel but little, and they possess but few horses, though they have very good roads; but their multiplied canals and rivers afford abundant means of intercommunication between all the large towns of the empire. It was once ascertained, that no less than 84,000 boats were registered as belonging to the city of Canton; but as is well known, all their boats are not used for transportation either of travellers or merchandise, many of them being used for residences, paying no ground rent, more secure from thieves than dwellings on land, less subject to fires, and cheaper to erect. The extent to which boats are used for this purpose seems enormous; and perhaps, notwithstanding the considerations mentioned, nothing more emphatically shows the crowded extent of the population of China than this. Williams thinks, upon some good authority we presume, that the tonnage of China exceeds in amount that of all the world besides.

It would be out of place to attempt to elucidate the particulars of Chinese dress; but we confess we were surprised to hear our author say, that "no company of men can appear more splendid than a large group of Chinese officers in their winter robes, made of different colored crapes, trimmed with rich furs, and brilliant with gay embroidery." So he says, speaking of the dress of the women, who, by the way, appear in public enshrouded in no veils; "no sumptuary laws can prevent it being as splendid as rich silks, gay colors, and beautiful embroidery can make it." Ornaments are but little worn by either sex; deadly weapons of any kind never. With regard to the compression of the foot, we might say in brief, that an a-la-mode foot is about five inches long; "its appearance, when uncovered, shocking, crushed out of all proportion and beauty, and covered with a wrinkled and lifeless skin, like that of a washerwoman's hand daily immersed in soap suds." It gives

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the owner no pain, and is as healthy, in spite of the squeezing, as it is useless because of it.

The food of the Chinese has afforded a deal of material for jest; and yet, when the truth comes to be understood about it, nothing seems less reasonable. They do, it is true, eat puppies, but then they are raised on purpose, and fed upon boiled rice; so with kittens. As for rats and mice, it is probable they afford but an occasional repast, spread oftener by want than by appetite. Frogs are eaten by Frenchmen; though in extenuation of water snakes as a species of human aliment, truly not much can be said; and no doubt as litle could be said of grasshoppers, locusts, silkworms, and earth grubs. Their birds' nests are nothing but isinglass.

Few heathen nations, in our estimation, have come up to a level with the Chinese in the pains taken, and the success attained, to render marriage honorable and universal. Their customs connected with this subject, to be sure, seem to a western observer absurd and even ludicrous, in their infantile betrothments, their later matches negotiated by go-betweens, and the careful seclusion of the female sex; but there may be more reason in such arrangements, and more security for some of them, than we can appreciate or understand. Polygamy is forbidden, though concubinage is not. On the whole the condition of the female sex, in all their relations, seem to be comparatively good—as good, no doubt, as any thing but Christianity can make it.

The customs of Chinese ceremonial are certainly amusing. Civilians make visits of ceremony either in sedans or chairs, military men on horseback. "Common visiting cards are made of vermillioned paper, cut into slips about eight inches by three, and single, or folded four, six, eight or more times, according to the rank of the visitor." If he be in recent mourning, the paper is white, with the name written in blue ink. The name is stamped on the upper right corner without addition, or upon the lower corner with the addition: "Your stupid younger brother, Pi Chiuan, bows his head in salutation." On approaching the house of him to be visited, a servant carries the card within. If his master cannot be received, word is sent out "to stay the gentleman's approach," and the visitor passes on; if contrariwise the host advances partly to meet him, "each one advancing just so far, bowing just so many times, and going through the ceremonies, which they mutually understand and expect, until both have taken their places on the couch at the head of the hall, the guest sitting on the left of the host." The usual inquiries which follow, meteorological in America, are couched in terms of studious flattery and self-depreciation, which literally translated sound curiously enough. For instance, to the remark: "'It is a long time since we have met, sir,' the host replies, literally: 'How presume to receive the trouble of your honorable footsteps, is the person in the chariot well?' Tea and pipes are always presented, and though it is not considered rude to refuse them, it would be thought singular. If the sons of the host be at home, they are generally sent for, and make their obeisance to their father's friend, who raises them with a slight bow, and the lads stand facing him at a respectful distance. The guest will then remark, if one of them happen to be at his studies, that 'the boy will fully carry on the fragrance of the books,' (literary reputation of the family); to which the father will reply, 'hills and fields,' happiness is thin; i. e., if he can gain a livelihood, that is all that can be hoped for him. After a few such compliments, the boys say, *shau pei*—'slightly waiting on you,'" and retire. If a Chinese wishes to say: "Is your father well?" he would have it, "does the honorable great man enjoy happiness?" "What may your age be, sir?" with them would be: "Distinguished and aged one, what honorable age?" In replying to the question, "How many worthy young gentlemen (sons) have you?" The

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catechised, perhaps, replies, "My fate is niggardly, I have only one little bug." The guest calls her "the honorable lady," "your favored one," &c., while the host speaks of his wife as "the mean one of the inner apartment," "the foolish one of the family," &c. But no etiquette seems able to diminish the necessity for filial reverence and respect. The father of the host is, in the guest's language, "the old man of the house," "excellent honorable one," or "venerable great prince;" while the host himself designates him as "the family's majesty," and when dead, he speaks of him as "former prince," and of his mother as "the venerable great one in repose." Upon taking leave, the visiter remarks, "Another day I will come to receive your instructions;" to which the host replies, "You do me too much honor, I ought rather to wait on you to-morrow." An invitation to dinner reads: "On the —— day a trifling entertainment will await the light of your countenance." And again, on the day appointed, a servant is sent to notify the invited of the hour. "If the party be large, ten minutes or more are spent in a tedious repetition of requests and refusals of host and guests to occupy their seats, for not a man will sit down until he has seen the host just filling his chair." On commencing their repast, the host standing, salutes his company, and apologizing for the frugality of his board, he informs them that his only desire is to show them his respect. The furniture of the table consists, for the most part, of porcelain dishes of various sizes, shape and quality, and of two sticks of bamboo or ivory, of the size of quills, well known as "chop sticks," or, as the Chinese have it, "nimble lads." Grasping these last named implements on each side of his fore finger, the eater pinches up his meat, previously cut by the cook into mouthfuls, fish or vegetables from the dishes, and conveys it to his mouth. The bowl of rice or millet is brought to the mouth, and the grain shovelled in, after a manner quite in accordance with the name affixed to the tools employed. But little liquor is drank, and that little warm.

The dead are usually buried about three weeks (though often later) after death, being meanwhile preserved in hermetically sealed coffins, which are sometimes exceedingly expensive. A lucky place is selected for interment, and a lucky day for burial. When all is ready the ceremony takes place, if the deceased were the head of a family, with great eclat. A procession of great length is formed; the principal mourners are dressed in white, and though months may have elapsed since the decease of the parent, they are expected to put on all the eloquence and attitude of grief. A band of music precedes the procession, to charm the wandering spirits, and a man to scatter paper money, secured by what stocks, or payable when, we do not know, to propitiate them, who might otherwise infest the dead. Similar money is thrown into the grave, with paper images of horses, clothes, and other supposed necessaries of the unknown and unenlightened future. Every house in China contains a room, or a separate building, called the "ancestral hall," where are preserved, written upon a carved and gilded board or tablet, the names of departed ancestors; and where are annually worshipped their manes or spirits. This is the only national religion of China, and to it all others but Protestantism have made themselves subservient. The real nature of this worship may be inferred from the following translation of a form of prayer used upon such occasions:

"Tankwang, 12th year, 3d moon, 1st day. I, Lin Kuang, the second son of the third generation, presume to come before the grave of my ancestor Lin Kung. Revolving years have brought again the season of spring. Cherishing sentiments of veneration, I look up and sweep your tomb. Prostrate, I pray, that you will come and be present; and that you will grant your posterity that they may

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be prosperous and illustrious; at this season of genial showers and gentle breezes, I desire to recompense the root of my existence, and exert myself sincerely. Always grant your safe protection. My trust is in your divine spirit. Reverently, I present the five fold sacrifice of a pig, a fowl, a duck, a goose, and a fish; also an offering of five plates of fruit, with libations of spirituous liquors, earnestly entreating that you will come and view them. With the most attentive respect this annunciation is presented on high."

Gambling is universal—wagers are laid upon a great variety of chances, but surely upon none more singular than the results of mortal combats between crickets—tubs full of which are caught in autumn, and sold by shopkeepers during the winter. Two choice combatants are placed in a bowl, and teazed with straws, until they are excited to fight, which they do with great spirit, the loss of life or limb, generally, only ending the conflict. And we respectfully submit whether the bull-baiting, cock-fighting, and boxing of Christian countries might not all be advantageously supplanted by the cricket fighting of China.

"Duels are unknown, and assassination unfrequent; and when two persons fall out upon a matter, after a vast variety of gesture, and huge vociferation of opprobrium, they will blow off their wrath and separate almost without touching each other.

"Summing up the moral traits of Chinese character," observes Mr. Williams very justly, "is a far more difficult task than the enumeration of its oddities. They have attained by the observance of peace and good order, to a high degree of security for life and property. The various classes of society are linked together in a remarkably homogeneous manner, by the diffusion of education and property, and equality of competition for office; and industry receives its just reward of food, raiment and shelter, with a uniformity which encourages its constant exertion."

We might add to industry, in enumerating their virtues, filial obedience, respect to superiors, fidelity to the marriage bed, urbanity, love of peace, and horror of bloodshed. But these virtues are marred by the almost universal vices of falsehood, insincerity, gambling, and sensuality. Honesty and truth are rare virtues in China.

We announced in the outset of this article, our intention of considering among other matters connected with our subject, that of the state of the industrial arts of the Chinese; and the theme is broad and interesting enough to demand more consideration than it has yet received from any quarter. More worthy of interest than their present condition, would be a discussion of their antiquity, and of the influence that the knowledge of such arts as that of printing, paper-making, the silk manufacture, the composition of gunpowder, and the use and production of the magnetic needle, for so many ages previous to their discoveries in Europe, may have had upon these so called discoveries. But our limits wholly forbid us this field of labor.

Many of our readers will be surprised to learn the extent and copiousness of Chinese literature. Are they prepared to be told that one catalogue of Chinese books, itself contained in 112 octavo volumes, contains a list of more than twenty thousand different works, one alone comprised in *twenty thousand odd* volumes, and many others of one hundred and more volumes? That among them are books three thousand years old, giving authentic and credible history of this ancient people, certainly for forty-two centuries, if not for a period longer than this by five hundred years; poetry written before the Greek language was thought of, rivalling, if not surpassing in antiquity, (but in nothing else,) the book of Job; philosophical and moral essays twenty-five hundred years old; school books not much younger;

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biographies dating from the time of Homer; novels, tales, dictionaries, written A. D. 150, in current use to-day; treatises upon female education, upon agriculture, ballads, dramas, and encyclopedias?

Antithetical writers upon China have amused their readers with disquisitions upon the differences existing between ourselves and our antipodes. One of the most striking points of difference they seem entirely to have overlooked. Not more certainly do our heads point oppositely, than do our tastes. Ours leads to the novel, theirs to the antique. Is not a book, the date of whose imprimatur has for its penultimate digit one a unit less than the current one, with us an old book? and if it be a novel, is it not pre-eminently so? But they reprint novels fifteen hundred years old, and sell them in the streets. And recently the government published a treatise upon rice-growing, illustrated with drawings, and written A. D. 1000. We have our reports of latest fashions—Chinese ladies wear their great-grandmothers gowns and shoes. And not merely do our fashions become obsolete; we need a glossary to read Shakspeare; while with this unchangeable people, a dictionary seventeen hundred years old is good authority to-day, and one written four hundred and fifty years ago, formed the basis of a recent Anglo-Chinese one by Morrison.

And how singularly anomalous is this literature! We cannot compare it with that of the Hebrews, for Divinity spake through Moses and David, and the author of that sublimest of compositions, the book of Job. Compare it with Grecian, and if we find no Homer, we have the *San Kwoh Chi*, which, though a poem in prose, has given to Chinese mythology its demigods, and still forms, as it has for ages formed, the fruitful source of themes for poets and subjects for painters. If we find no Socrates nor Plato, we venture to say that in the writings of Confucius and Mencius may be found evidences that their philosophers would not suffer by comparison with the first of the Greeks.

Not that the great Chinese epic would compare with Homer as a work of genius, nor to the western ear would the writings of the great moralists of the east read as those of Plato read. But we must reflect that the character of the Chinese language is so totally and diametrically opposed in idiom and structure to those of the west, that comparison having to do with style only, must of necessity be invidious. Dress up Plato, and Homer if you will, in good monosyllabic Chinese, with no inflections to your verbs, no gender, number, or case to your nouns, with nothing but a host of particles to do the multifarious offices performed in other tongues by the varieties of termination—and carried to such wonderful and unequalled perfection by the Greeks—in a language the "most meagre and tedious in the world," and then see whether the tables might not be turned. As to the philosophers, their *sense* can be obtained in both cases, and it is upon this same bald, naked sense, that any conclusions respecting the point at issue must be founded.

Let us briefly examine the subject in this light: Confucius being asked whether any one word would express the conduct most fitting our whole life, replied: "Would not the word *shu* serve?" Which he explained as meaning, "Do not unto others what you would not have them do to you!" It required Divinity to give to this aphorism that active construction which distinguishes Christianity from all other systems of religion and philosophy. We need not ask whether heathen literature can furnish its parallel. Could a heathen inculcate any higher motive to virtue than is contained in the following?

"Filial duty," said the sage, "is the root of virtue, and the stem from which in-

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struction in moral principles springs forth. The first thing filial duty requires of us is, that we carefully preserve from all injury, and in a perfect state, the bodies which we have received from our parents. And when we acquire for ourselves a station in the world, we should regulate our conduct by correct principles, so as to transmit our names to future generations, and reflect glory upon our parents; this is the ultimate aim of filial duty.

"'Think always of your ancestors,
Talk of, and imitate their virtues.'"

Did earnestness of purpose lead Socrates to say more than this?

"I have," said Confucius, "the fidelity of that animal, (the dog,) and I am treated like it. But what matters the ingratitude of man? They cannot hinder me from doing all the good that has been appointed me. If my precepts be disregarded, I have the consolation of knowing in my own breast that I have faithfully performed my duty."

Did confidence in his *mission* lead him to say more than that, "If heaven means not to obliterate this doctrine from the earth, the men of Kuang can do nothing to me."

But our limits forbid the pursuance of this train of thought any farther. We can only hope in what may follow, to present our readers with a few characteristic, curious, or interesting specimens of Chinese literature, or of facts connected therewith.

Mr. Williams has presented us with a couple of pages of an extract from a Chinese metaphysical disquisition. Here is a morsel of it. Everybody will agree with us in pronouncing it equal, in its peculiar excellencies, to anything of any German Cant or Rant; everybody will concur with us in recommending it to the notice of the Emersons and their apostles, of our own literature; everybody will congratulate us upon the discovery, that transcendentalism, and that species of writing, or thinking, or philosophizing, which has been described by one of its admirers, as "the divine darkness," is at least five hundred years old. But hear Chu Hi:

"Should any one ask whether the immaterial principle or primary matter existed first, I should say that the immaterial principle, on assuming a figure, ascended, and primary matter, on assuming form, descended; when we come to speak of 'assuming form, and ascending or descending, how can we divest ourselves of the idea of priority and subsequence? * * * Originally, however, no priority of subsequence can be predicated of the immaterial principle and primary matter; and yet, if you insist on carrying out the reasoning to the question of their origin, then you must say that the immaterial principle has priority," &c., *ad nauseam.*

Of Chinese history we are unable to give any illustrations. Rémusat, in speaking of one work, entitled "Complete Antiquarian Researches," embracing the history of China for more than forty centuries, though written five hundred years ago, says: "This excellent work is a library of itself; and if Chinese literature possessed no other, the language would be worth learning for the sake of reading this alone."

Chinese literature is full of novels. Rémusat, whom we may consider sensible authority, compares them, in their construction, to those of Richardson, "in which the authors render their characters interesting and natural, by reiterated strokes of the pencil, which finally produce a high degree of illusion. The interest in their pages arose precisely in proportion to the stage of my progress; and in approaching to the termination, I found myself about to part with some agreeable people, just as I had duly learned to relish their society. Visits, and the formalities of polished statesmen;

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assemblies, and above all, the conversations which make them agreeable; repasts, and the social amusements which prolong them; walks, of the admirers of beautiful nature; journeys; the manœuvres of adventurers; law-suits; the literary examinations; and in the sequel marriage, form the most frequent episodes and ordinary conclusion." Mr. Williams describes them as generally decent; in their denouement happy; characterized by freedom from the "raw head and bloody bones" spirit; and consisting with probability. The following illustration of their fictitious literature is extracted from the famous, in China, *San kwho chi*, already referred to, and dated A. D. 350. It may be premised, and we feel it due to the character of Miss Tian Chen, to make the explanation, that Wang—high chancellor Wang—has laid a plot to inveigle both Lu and his foster father, both enemies to their common master, the monarch, within the influence of the charms of his daughter by adoption, that through her jealousy might spring up between father and son, and thus one or the other be destroyed. Miss Tian Chen is in the plot; and the following is the first meeting, brought about by the cunning of the chancellor, between the young lady and her lover that was to be:

"Highly gratified, Lu went himself to Wang's house to thank him, where a well-prepared feast of viands and wine awaited his arrival. Wang went out to meet him, and waiting upon him into the rear hall, invited him to sit at the top of the table, but Lu objected; 'I am only a general in the prime minister's department, while your excellency is a high minister in his majesty's court; why this mistaken respect?'

"Wang rejoined, 'There is no hero in the country now besides you; I do not pay this honor to your office, but to your talents.' Lu was excessively pleased. Wang ceased not in engaging him to drink, the while speaking of Lung Choh's (Lu's foster-father) high qualities, and praising his guest's virtues, who on his side wildly laughed for joy. Most of the attendants were ordered to retire, a few waiting-maids stopping to serve out wine. When, being half-drunk, he ordered them to tell the young child to come in. Shortly after, the two pages led in Tian Chen, gorgeously dressed, and Lu, much astonished, asked, 'Who is this?'

"'It is my little daughter, Tian Chen, whom I have ordered to come in and see you; for I am very grateful for your honor's misapplied kindness to me, which has been like that to near relatives.' He then bade her present a goblet of wine to him, and as she did so, their eyes glanced to and from each other. Wang, feigning to be drunk, said, 'The child strongly requests your honor to drink many cups; my house entirely depends upon your excellency.' Lu requested her to be seated; but she, acting as if about to retire, Wang remarked, 'The general is my intimate friend; be seated, my child; what are you afraid of?' She then sat down at his side, while Lu's eyes never strayed from their gaze upon her, drinking and looking. Wang, pointing to Tian, said to Lu, 'I wish to give this girl to you as a concubine, but know not whether you will receive her.' Lu, leaving the table to thank him, said, 'If I could obtain such a girl as this, I would emulate the requital, dogs and horses give for the care taken of them.' Wang rejoined, 'I will immediately select a lucky day, and send her to your house.' Lu was delighted beyond measure, and never took his eyes off her, while Tian herself, with ogling glances, intimated her passion. The feast shortly after broke up, and Lu departed."

The plot is successful, and Lu finally kills his father. Tales of a lighter character than the one quoted are said to be popular, and endless in their numbers; "there being," says Williams, "thousands and myriads of this class in the language." Williams gives his readers two or three specimens. We have selected one for quotation.

"A villager was once selling plums in the market, which were rather delicious

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and fragrant, and high in price; and there was a Tau priest clad in ragged garments of coarse cotton, begging before his wagon. The villager scolded him, but he would not go off; whereupon becoming angry, he reviled and hooted at him. The priest said, 'The wagon contains many hundred plums, and I have only begged one of them, which for you, respected sir, would be no great loss; why then are you so angry?' The spectators advised to give him a poor plum, and send him away, but the villager would not consent. The workmen in the market disliking the noise and clamor, furnished a few coppers,* and bought a plum, which they gave the priest. He bowing, thanked them, and turning to the crowd, said, 'I do not wish to be stingy, and request you, my friends, to partake with me of this delicious plum. One of them replied, 'Now you have it, why do you not eat it yourself?' 'I want only the stone to plant,' said he, eating it up at a munch. When eaten, he held the stone in his hand, and taking a spade off his shoulder, dug a hole in the ground several inches deep, into which he put it, and covered it with earth. Then turning to the market-people he procured some broth, with which he watered and fertilized it; and others, wishing to see what would turn up, brought him boiling dregs from shops near by, which he poured upon the hole just dug. Every one's eyes being fixed upon the spot, they saw a crooked shoot issuing forth, which gradually increased till it became a tree, having branches and leaves; flowers and then fruit succeeded, large and very fragrant, which covered the tree. The priest then approached the tree, plucked the fruit, and gave the beholders; and when all were consumed, he felled the tree with a coulter, chopping for a good while, until at last having cut it off, he shouldered the foliage in an easy manner, and leisurely walked away.

"When first the priest began to perform his magic arts, the villager was also among the crowd with outstretched neck and gazing eyes, and completely forgot his own business. When the priest had gone, he began to look into his wagon, and lo! it was empty of plums; and for the first time he perceived that what had been distributed were all his own goods."

Among the curiosities and miscellanies of Chinese literature, we might notice the "*Tai tien*, or great classic of the Emperor Yungloh of the Ming dynasty, A. D. 1403, in 22,877 chapters, and nearly that number of volumes." We might also notice the "Treasury of Compared Characters and Sounds," prepared at the expense, and under the direction of the Emperor Kanghi, "who," says M. Callery, "assembled at his palace the most distinguished literati of the kingdom, and commanded them carefully to collect all the words, allusions, forms and figures of speech, of which examples might be found in the Chinese language of every style; to devote a distinct paragraph to each expression, and to give in support of every paragraph several quotations from the original works." This labor they performed in eight years, and in 1711 they published the results in 130 volumes, under some of the common characters, as many as 300, 400 and up to 600 combinations are noticed, all of which modify the sense, more or less, and afford a complete monograph of the character, affording infinite assistance to any foreigner as well as native scholar, wishing to learn to write idiomatic Chinese. It is entirely unique, we believe, and we might well suppose of high value.

We come next to speak of Chinese poetry. Chinese poetry is as yet deficient in any thing approaching an epic; and it chiefly consists in the lighter species of poetical composition, to which in a general way the titles of odes and sonnets have been given. Mr. Williams has illustrated their metre and rythm by several examples. Here is a stanza of the oldest ode, for aught we know, in the world.

"*Kien kia tsang tsang,*
Pih lu wei shuang;
So wei i jin,
Tsai shwui yih fang;"

* 1400 Chinese cash make one dollar.

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Somewhat more pedantic is the following:

"*Liang kiang, siang niang, yang hiang tsiang, ki ni, pi chi, li hi mi.*"

It is a curious fact, noticed by critics competent to make the discovery, that the golden age of Chinese poetry was during the ninth and tenth centuries of the Christian era, just when their antipodes were at the lowest depth of darkness and degradation. The poetry of this period has been published by imperial authority, in 900 volumes. The selections which follow, belong to no particular age, and they are, perhaps, not the finest that might have been made from the few extracts we have had access to. Gallantry would lead to the first choice of this flattering (to the sex) morceau:

"A beautiful and clever woman
Is like the owl and like the kite;
Women with long tongues are stepping stones to misery.
Commotions come not from heaven alone,
They are produced by women.
Tongues which neither teach nor reprove
Are those of women and eunuchs."

The following is simple and rural:

"Crash, crash, resound the falling trees;
Chirp, chirp, respond the birds to their fellows.
They come from the shady dells,
Flitting upon the lofty trees,
Answering each other in their songs,
And seeking their friends with their notes:
Behold these songsters!
Like friends they ask for replies.
Shall it be then that men
Desire not their living friends?"

And the following, we think, contains a really poetical idea:

"That man of whom I speak,
Is on the water's farther shore;
Up the stream have I followed him,
Long and harassed was the voyage;
Down the river have I sought him,
Seeming to see him in the waters midst."

And here comes from China an echo of that same "*nil desperandum*" spirit, which at the beginning was so deeply implanted in the human heart:

"A passage for the sea has been cut through mountains,
And stones have been melted to repair the heavens;
In all the world there is nothing that is impossible,
It is the heart of man alone that is wanting resolution.

"In the morning I was a humble cottager,
In the evening I entered the court of the son of heaven;
Civil and military offices are not hereditary;
Men must therefore rely upon their own efforts."

Thus is fraternal love enjoined:

"Should some light cause occasion angry strife,
Let each recall his thoughts, once and again,
Nor act till every point he thrice hath turned,
Remembering whence they both at first have sprung.

"Though like two twigs which from one stem diverge,
Their growth, perhaps, doth tend toward different points,
Yet search unto the root. they still are joined,
One sap pervades the twigs, one blood the brothers' veins."

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One more extract from what Mr. Williams tells us is among their best ballads, shall complete our specimens of Chinese poetry:

"But if my face is lank, my mind is firmly fixed
So to fire my golden buds that they shall excel all beside.
But how know I who'll put them in the jewelled cup?
Whose taper fingers will leisurely give them to the maid to draw?

"At a bright fire she makes the tea, her sorrows flee away;
When shall she learn our toil who so tender picked it all?
How that without a sign the fierce wind and rain did rise,
Drenching and soaking our persons as if plunged into a bath.

"My splint basket slung on my arm, my hair adorned with flowers,
I go to the side of the Sunglo hills, and pick the mountain tea;
Amid the pathway going, we sisters one another rally,
And laughing, I point to yonder village—there's our house,

"Your hand-maid's house and home is at the weeping willow's side,
In a place where the green shade the grassy dwelling hide;
To-morrow, if you're content, come be my boon companions,
Nearing the door you'll know it by the fragrance of the firing tea."

Indifferent enough, no doubt, must be the impression such specimens as those we have given of Chinese poetry will give our readers. But we think we are yet by no means prepared to pronounce a verdict upon its character. We must wait till Chinese scholars shall have grown up, prepared by acquaintance not only with their own, but with western languages and literature, to truly estimate the real beauties of their tongue. The labors of such men would serve to place China in her true relative position upon that scale of literary merit, where, whoever may stand second, England must be first.

WOODCHUCKS.

Dear Lemuel:

Since you desire it, this letter shall treat of the Woodchuck, his life and death, and of associated themes. It shall be the Dashes at, the Glimpses, Glances, Recollections of the Life of him—the Sayings and Doings, the Domestic Manners, the Men and Things, of him. It shall, then, be more dull (!) and instructive than my missives usually are; not, however, scientifically nice and formal. Rather, still "in an extemporanean style, (as I do commonly at all other exercises,) *effudi quid-quid dictavit genius meus;* and writ with as small deliberation as I do ordinarily speak, without all affectation of big words—*idem calamo, quod in mente.*"* I shall not forego my wonted epistolary privilege of egotism and discursiveness; and in spite of the formidable promise of the first sentences, you need look only for "a desultory and antoschediastic, off-hand, and extemporaneous article."

Among agriculturists, this beast is a nuisance. Among scientific naturalists, he is of the genus *arctomys*—αρκτος, a bear, and μυς, a mouse—the *mus monax* of some, the *mus empetra* with others. "*Supra fusco,*" say the books, "*cinereus, subtus sub-rufus, capite, canda, pedibus-que fuscis,*"

* Burton's Anat. Mel.

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&c.; and more, all in the classic dead languages, which sounds oddly to one who has been used to see the subject in his rough-and-tumble vivacity. It is amusing, instructive, or humiliating, according as your philosophy, rather as your temperament or stomach, which decides your philosophy, is humorous, thoughtfully-observant or over humanly-conceited, to mark the resemblances between this *genus arctomys* and certain of the *genus homo.* You, who can be grateful for or proud of the high position in the scale of living creation that you enjoy, and yet not forget that all this creation has a common Maker and Disposer, and that so all its members are in some sort your brethren, will kindly smile while reading a description, confirmed, and slightly added to by my own frequent experience, taken from Audubon. Firstly, you will see his likeness to the bear often paralleled by the ursine manners of door-keepers, rail-car conductors, and other such briefly-authorized officials—shame-faced worth and repulsed poverty can bear testimony to their too frequent presence, on the front seats and in the passenger cars. Then, my author goes on to say, "the body is thick and the legs are short, so that the belly nearly touches the ground;" here we see the type of the well-fed city fathers, and of other adipose waddlers, whose uncarked minds have never interfered with the nutritive processes—good-natured and prosperous—whom it is a comfort to look upon. "Head short," runs the record; wherein again we and they are common—for we except and distinguish a man as peculiar, when we say he has a "long head"—and you know, *exceptio probat regulum,*—though, by the way, I never could see how an exception proves the rule, till it is proved to be an exception, by which time proof of the rule, I apprehend, becomes unnecessary. Meantime the phrase is convenient as a substitute for argument, and imposes, by its foreign air, like some other things of small intrinsic worth. "Eyes moderate"—that is, not speculative, like those of the senior Hamlet's Ghost and of prudent merchants. In this respect there is not so general a likeness as I could wish between the "subject of this memoir," and we others. Unhappily the eyes of a great many men are (excuse the vulgarity of the sensible old phrase) too big for their belly. And from this disagreement in the size of organs come ill-digested schemes, a making haste to be rich, for whose ill consequences poor government officers are blamed. Hard times are often all in your eye. Your ruin and distress that we hear so much of every few years, coupled with abuse of the men at Washington, are not so much owing to their ignorance of finance, as to the low state of ophthalmotology in the marts of business. But to return to our friend. Now he seems sinking into the dandiacal classes, for he hath "whiskers numerous." But anon he rises among the healthy vulgar, with his "legs short and muscular," so unlike the select spindles of refined drawing-rooms. "Toes long and well-separated, palms naked," as they are still to be seen on those from whom the upper ten thousand eventually draws its recruits—did it not, this front rank of a foolish legion would degenerate into cripples and malformations in a few generations, and in a few more the race would only be known by its tomb-stones. Once more, however, with apparent inconsistency, our friend presents his foot and proffers his claim to admission in polished society, whose members wear snug boots. As a soldier might show his scars to forgetful comrades, so he displays the "tubercles at the roots of the toes"—his cornigeral certificate of right to be placed on equal footing. But above all, these words, as I read, anthropomorphized him, inspired more fraternal sentiment regarding him than the rest. He has the "rudiments of a thumb with a minute nail." As though he were struggling up to humanity, pursuing it under difficulties, with that dogged industry, that has made so many moderately-endowed

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men to become men of mark, and as though his experimental attempt in this direction were not yet consummated. Thus far, with all his strivings, he has only mastered the rudiments, and must wait, no one knows how many ages, for such auspicious developing circumstances as will enable him to attain to the higher joints. Studying, drudging over the "rudimans," as Mr. Cophagus' apprentice calls them, I cannot help feeling that he is a fit subject of action for some benevolent society—that some loving, disinterested individual should write in a simple style, a little manual for his use, and that some other of like attributes should publish this—Thumbs made Easy, in a cheap form, with plates, and see to its general subterranean circulation. Only the "rudiments of a thumb and a minute nail"—it works on my sympathies.

He has a bushy tail, and is habited next the skin in a soft, woolly fur, mingled with which are coarse, long hairs, that project and form his outside covering, as you wear your pilot over broadcloth. His color was mentioned above; but in regard to color, size, weight, and other items, there rules a great variety. Audubon writes of one in his possession, from Lower Canada, that is "coal black, with the exception of the nose and a patch under the chin;" the like are to be found in New-York; and, though rarely, with us here in nether New-England. I know of one sleeping within a mile of me; and there he will sleep, sweetly, soundly, without turning over, till fruit-bearing spring comes again,

"And small foules maken melodie,"

as Chaucer sings; for he has no need to garner winter stores. Instead of laying up provision for the winter months, by a kind provision of nature, he lays himself up during the season when frost cuts off his supplies; for half the year, as Sam Weller says of the title of grandfather in his family, lies "dormouse"—careless of salt meats, independent of grocers. His posture, while enjoying this long slumber, is one of deep meditation—not unlike that of those ancients who sought beatific illumination by constant contemplation of the pits of their stomachs; or, perhaps, better, it is a pleasant emblem of the economical nature of his condition, that without painful thrift still makes both ends meet—the nose resting on the abdomen.

In the matter of habits, the woodchuck, as well as most other undomesticated animals, is more correct and regular than we, his self-styled betters. He does not guzzle, nor dive into, nor bolt his food, so grossly or rapidly as we are apt to do; consequently we do not hear of his dyspeptic troubles. We might draw valuable lessons in dietetics from his procedure. Stooping, he nips a stalk of clover, one of his favorite dishes—though he will eat on occasion other vegetables, and counts beans among the highest luxuries—and then rises, to masticate leisurely and appreciate its full relish. During the meal, he looks around, from time to time, to enjoy the landscape, and see if its beauties are not marred by the presence of some enemy. If any one tells you that he collects food in his pouched cheeks, as the squirrels do, withhold belief. Your informant may quote his books, and bring never so ingenious proofs, but the animal has no pouches to fill. Blessed with appetite and "good digestion," that best of waiters, the injury that he does to a clover field in the course of the summer, is more than you would at first expect from so small a forager. In addition to his consumption, he wastes as much more by trampling the grass and breaking the ground. So much for his eating, subjectively.

Objectively.—His flesh, though loose, is tender, and in good feeding season very fat. If laid in cold water ten or twelve hours before going to the fire,

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it loses its earthy flavor, and when rightly cooked becomes a well-savored dish. My sole experience is of a white fricassee; I hear roasts and baked well spoken of.

His habitation is a long basement apartment, approached by a sloping entrance, and extending sometimes ten, sometimes forty feet; when dug on a plain field, it runs from one and a half to three feet under the surface. You sometimes find short ones, that are the work of youngsters, and are not inhabited—perhaps a mere baby-house work of imitation and juvenile amusement, at sight of which we may suppose the elders smile; perhaps an imposed exercise preparatory to mature digging and independent householding. Occasionally there is but one opening, but every prudent, well-to-do woodchuck digs from one to two rods, and makes two outlets. One of these is plainly marked by the excavated earth lying about it; the other is smaller, and concealed by the grass or leaves. Through this last he often makes good his retreat, while a canine or human enemy is mining at the other. There is generally but one gallery; but I broke into a burrow last autumn, full of windings, with a long side branch, and more than two entrances; it seemed to be a double burrow, and it may be, the children were living with the old folks instead of setting up a separate establishment, as they usually do. The earth thrown out does not appear nearly enough to have filled the excavation, nor can I get by observation or inquiry any satisfactory explanation of this curious disproportion. When I questioned Black Tom, he said, "they begin at the bottom and throw the dirt behind them." I have spoken of burrows in plain open fields. A more favorite location is under a rock, or a stone wall, or on a side hill, and in such cases the process of digging out the occupants is very difficult. Were it not for this, I would unearth the black specimen mentioned above (you won't mistake it for Tom,) and forward him to you by express; for in the dormant state he might be sent from here to Europe, like any inanimate parcel, be returned and deposited in his hole, and finally wake up none the wiser for his voyage, as has sometimes been the case with others who have made it; and none the worse, which has not always been the case with those who have made it. In winter they often lie in dry ledges.

His organs of hearing are very nice, and by their warning, he gets a long enough start of his enemy to countervail the shortness of his legs, which, however, compass the ground with a rapidity that you would not look for from their brevity, and to enable him to reach shelter before his pursuer. When too closely pressed, he turns on dog or man, and fights to the last, biting deeply. A blow with a stout stick across the back of the neck sets him at rest. During the summer, I had opportunity to deal but one such, though I often enough put myself in the way of it, as my letters of that time informed you.

In spite of their human likeness and good qualities, these woodchucks had worked too much evil in the fields; what with their eating of the vegetation, their breaking up of the soil, their tangling of the grass with their criss-cross paths, as definitively marked as if trampled by the march of men—too much, I say, that we could look upon it quietly. When going through the lots one day, I came upon fourteen main holes, down each of which a little of it dripping, my good nature, by the time I had passed the last of them, was clean exhausted, and I straightway resolved to be the death of some of the inmates. I thought to shoot them, and loaded the gun remarkably well; but when it came to the shooting part of the exercises, never was there an instance where the maxim, that it takes two to make a bargain, was more in point. The beasts had no correct notions of honor nor of discipline, and in place of waiting to be shot like Christian gentlemen and soldiers, they incontinently took to their heels, and these them to their cel-

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lars, when they discovered my approach. Since open fight was out of the question, I tried a siege, and for three hours of a summer's afternoon sat near a hole, with the gun at my side, waiting for a mark to fire at, and meantime reading Don Quixotte. But Mundanus was either too cunning for me, or in careless innocence was taking his siesta, for I afterwards found that his kind are usually within doors at that time of the day. Their hours for going out are rather at morning and evening. Whether it was craft or chance, matters not, I saw not so much as the tip of his snout that day. Supper-time came, I closed the volume, uncapped the gun, and came back to the house, somewhat ruefully as you may suppose, and piqued that this troglodyte should thus outgeneral me with his masterly inactivity. My next plan was that of drowning; and finding the next day a domicil, where the rear and front doors were little distant, I brought some casks of water to bear upon them, and with the help of an associate, poured in one hundred gallons as fast as possible. The water soon met, from either end, in the midde of the gallery, and then flowed back to the surface. In a moment up came a head, but seeing your friend standing ready for him with uplifted hoe, instantly ducked and paddled through to the other outlet, now all exhaust, and retreating from the elemental war, reckless of opposition. "Look out," said I, to my helper, who was like armed as myself; "Now then, quick! have at him!" Slam went the hoe head, we exulting, straight down midst mud and water, on to the devoted, and then—bless your nostrils, what an unfragrancy! It was a skunk that had taken possession there and driven out the rightful tenant. This, in passing, is not an uncommon instance among the brute creation of holding by right of conquest. What is curious in this case is, that afterwards the burrow was re-occupied by the original proprietor, or one of his kin, whose bones now lie in the same, he having been done to death by a process before alluded to, and which, as you desire, I will presently detail more particularly. I had caught a Tartar, and was reminded of those lawsuits, to wit, the great majority of lawsuits, where the plaintiff wishes he had never begun, but being once in, must needs on. This ungrateful turn of affairs brought the water cure into bad odor with me. For the next trial I placed some powder and sulphur two or three feet within the mouth of a burrow, and then lighting a bunch of pine shavings, tied to the end of a stick, stooped down just to see where to direct it—the most natural movement in the world, you know, whereby, however, I suddenly became a less handsome man than usual, by reason of an especially brief set of eye-brows and eye-lashes.

It may be, that I, while sitting on a rock hard by, that caught me as I reeled backward, and rubbing off the crisped extremities of the charred hair, my eyes smarting, and, for the time, sightless, my organs of smelling oppressed with the fumes of burned meat, powder and brimstone—I hope not, Lemuel—I hope that, even under such suggestive circumstances, I did not commit that sin against good taste and good rhetoric, to say nothing of good morals—but it may be, that, perhaps, I then—used bad language. My memory does not accurately recall all the doings of those confused, vexed moments. I recollect that I was in a very expletive, imprecatory vein, and was filled with all grimness toward the *genus arctomys*. I am in quite a different mood now, and half-ashamed of that transient acerbity. With all their devouring and trampling, and digging, we have saved enough from a plentiful harvest for barn, pantry and cellar; and now, as I think of them, packed away in their snuggeries—they, too, so well provided for, slumbering there quietly till Pentecost. I remember that they had their right to the soil and its fruits; that the Scripture is always true—"the earth is the Lord's, and the fullness thereof." We Yankees are a

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little apt to forget this, and claim all to ourselves. I have heard good people talk as though the starving strangers from Europe had no sort of right to crumbs that fall from our plentifully-spread table; no right to dig on our unused lands, and finally spread one of their own.

But to return to last August, and what I did and how I felt then. The week after the explosion, I looked into a book of chemistry, and found that chlorine gas was heavier than the atmospheric air, and destructive to animal life. Upon that hint I went to the druggist, and bought me chloride of lime and sulphuric acid; put half a pound of the lime into an old saucepan, and clapped it into the mouth of a burrow: covered all over save a space for the insertion of a lead pipe, through which I poured the acid. From the union of these two is generated the chlorine gas; and the ill flavor of the combats between St. Dustan and the adversary, of which we laughingly read in Southey's ballad, must have been as attar of roses, in comparison. Novelists sometimes stop in the midst of an ecstatic scene, with the flattering remark to the reader, that his imagination can finish it more accurately than their power of description. This odor of chlorine gas is something that your imagination, dear Lem., can no way compass. It must be a foul imagination that could. To use again one of those convenient substitute phrases, that take the place of further mental effort—"It must be felt to be appreciated." I had finally hit upon the right method of destruction, and three, at least, of the groundlings, because of it, lie dead as Julius Cæsar, or any other hero.

The last time that I charged the saucepan, it was against an impudent varlet of a *monax*, who would show himself, rioting among the rankly growing crop, or sitting up on his ——, I mean just as we humans do, and as our quadrupedal fellow-beings ordinarily do not, and would apparently quiz me, while I watched him from the window. But as surely as I went down stairs and out after him, he was as clear gone as your last night's good resolutions. But the heavy fumes reached him in his very penetralia. With all its cunning windings and stout side walls, his strong hold could not protect him. He, like the rest, must yield a victim to the advances of modern science.

I may add to what is written above, that, here in New-England, at least, the marmotts are not gregarious, though several burrows may be found near together. Their western relatives are found in large numbers; and travellers, supposed to be fanciful, speak of them as forming communities, with set watchmen to give notice of hostile approaches. Naturalists advise us lately not to believe these travellers. With us a full grown specimen measures about a foot and a half in length; if you include the tail, two feet, and weighs about ten pounds. The female, in early summer, brings forth her young "four or five in number," though families—it may be poor clerical woodchucks that are so blessed—of eight are recorded. As nature's agent, she takes the kind care and displays the same parental solicitude to which we all owe so much, and which young woodchucks in a few months are able to dispense with and do straightway forget, wherein—changing the length of time of course—lies the last trait of similitude that I will indicate, between the *genus arctomys* and the *genus homo*. I have drawn my letter to an unreasonably wearisome length, I fear, for I have again fallen into this bad habit of night writing, that was only excusable in the fine season, when the glorious outdoor light and life were too good to be shut out by four walls—a "sullenness against nature," that I am rarely guilty of between May and November. "The huntsmen are up in Arabia; and they have already passed their first sleep in Persia;" and with all good wishes, dear Lemuel, I extinguish my epistle. Yours, always, C. R. B.

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THE ADVENTURES OF CHRISTOPHER COLUMBUS;

A SEQUEL TO BOABDIL'S DEPARTURE FROM GRANADA.

CANTO THIRD.

YEAR 1492.

Once more to city Isabel,
The Admiral good was come;
Oh! mortal sickness sacked it now:
Cold death had vanquished some.

Of bruised grains was there no hoard,—
Soon rose a sylvan mill,
Where *labor stained the grandees' hands,*
Born laborers waxing ill.

There, sought not gold, the eager grasp,—
To clutch it all must toil,—
There fostering viands, *scant*, were dealt
To all,—e'en priestly Boyle.

Vainglorious minds aroused to ire,
They vaunted *rank by birth,*
'Gainst *mental rank,*—to Colon given
By the King of heaven and earth.

But much Columbus yearned to coast
By Cuba's sun-bright isle,
The eastern realm, he dreaming still,
That isle so grand, the while.

Now then, he thought, its *southern coast,*
To follow on—and on,
Till Mangi and Kathay 'd appear—
Dominions of the *Khan.*

In Hispaniola, restive isle,
Diego should preside,
With Friar Boyle, and others, high,
As counsellors at his side.

The Viceroy's ships then coursed the seas,
Jamaica rich he viewed,
And countless other islets fair,
With loveliest things endued.

One verdant cluster, all was draped
In gaudiest butterflies;
Where the crane, flamingo, scarlet-plumed,
Bright gleaming, charmed the eyes.

"These, sure," said he, "are th' isles so blest,
Which Marco Polo told,
The glowing coast of Asia fringed—
That orient land of old."

Oh! how from Cuba's southern shore,
Gazed multitudinous eyes,
At barks so wondrous,—manned, 'twas thought,
By dwellers of the skies.

To right stretched woody Ornofay—
With hamlets fair—and streams;
Came thence at eve the sound of dance,
Of chaunt,—recounting dreams:

The glowing dreams, that tranced the minds
Of an ardent, artless race,
Inspired by future spoilers there;
They hailed the white, fair face.

Luxuriant Cuba's southern coast,
Alas! was not explored;
Crazed grew the barks, their rigging worn,
Of stores was scantiest hoard.

The murmuring seamen, then, to calm,
Back steered Columbus on;
Had he that island's limit reached,
Illusive dreams had flown.

And now, as wild Jamaica's shore
They coasted slowly near,
Canoes so fine, by natives manned,
From thence they saw appear.

Grotesquely carved—*one*, painted bright,
The cacique's family bore;
His sons and daughters, brothers five,
With jewels covered o'er.

His milk white banner fluttered out
On odorous air away,
Attendant subjects standing by
In plumes and mantles gay.

Other Indians, with devices strange,
In colors painted o'er,
They black-wood trumpets,—carved,—did sound—
Or beat the wild tabor—

While on the Admiral's deck there stepped
Their lofty old cacique:
"The secrets of our land," said he,
"Thou know'st; alas! we're weak:

"Now would we leave this lonely isle,
Which thou wilt rend from me,
And to thy wondrous shores would hie,
Thy glorious sovereigns see."

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Columbus moved, refused to part
The groups so wild, from home;
Protection promised he, from Spain,
Where, one day, should they roam.

Then coursing soon the open sea,
The Admiral cares had none;
So on his couch he sickening sank,
Nor knew the god-like sun.

A fever scorched his laboring brain,
His seamen turned away,
And straight to Isabella bore—
In a dreaming trance he lay.

A joyous, grateful, blessed sight
Beamed on his wakening eyes;
The brother, whom he'd mourned as lost,
Was there, to greet his rise.

Bartholomew, who'd early sailed
For royal England's court,
By corsair fierce had prisoned been,
As thence he'd made resort.

Her Henry 'd listed well his suit,
Yet, thus, he'd failed to gain
His brother's ear, till prize so bright
Had fallen to haughty Spain.

Great sway was given Bartholomew,
For he was wise and brave;
Oh! many a dreadful thing had chanced
While th' Admiral skimmed the wave.

One Marguerite, wielding great command
Of military force,
The suffering natives much had wronged,
Nor knew his soul remorse.

Diego's threats at naught he'd set,
But fearing deadly broil,
Two ships had pressed, and sailed for Spain,
With treacherous Friar Boyle.

Caóuabo, who'd learned by spies,
In fort the force was small,
Had wrought to burst his way therein,
But could not win at all.

Enraged to find St. Thomas's fort
Within his rich domain,
His warrior-thousands, up he drew,
And sought the place again.

Ojeda, stratagems he planned,
Shewing a matchless skill;
The chieftain, fierce, admiring all,
Bent to that soldier's will.

Now glistening shackles charmed his eye,
Ojeda could persuade—
The savage, guileless, donning these,
A prisoner was he made.

How strange to tell! the wile but won
His admiration high;
That feat was *great* that bore him off,
Before his army's eye.

Now leagued were all those caciques wild,
All, save a gentle chief,
Who e'er to Colon's cause adhered,
His solace and relief;

A storming, fierce attack to make
On Isabella's town;
By the Indian prince, so kind, their plot
To Colon soon was shown.

To find these warriors, planned he then—
Lo! in a beautious plain,
A space from Isabella's town,
Was met the savage train.

Like to Apollo Belvidere,
That holds the bended bow,
Each noble Indian form it showed,
That leapt to meet the foe.

Their war whoop-shrill, their warlike arts,
Ah! they availed them not
Against the Spaniards' thundering guns,
Their cannon and their shot.

Numerous their force—but on them poured
Ojeda's horsemen bold,
While dreadful blood-hounds tore their throats,
That yelled in fiend-like mould.

Low, on their green enamelled mead,
Fell some in blood and woe;
Their wrongs to bear to throne of God
Those red-men's souls did go!

Afar some fled with direful howls—
Some clambered up the rocks;
To whites, meek prayers, by signs they made,
To cease their whelming shocks.

'Twas done, but tribute must they yield—
A golden store, full soon,
Or cotton, or some treasure rich,
Must render each third moon.

Then, on those natives fell despair,
No more in war they strove—
Citadels strong, uprising round,
On lawn, in shady grove.

There, where the lover 'd urged his suit,
Beneath the palm tree's shade,
With wild, but eloquent appeal,
To heart of Indian maid:

There, where he'd vowed he'd bend the bow
To shoot the gorgeous bird,
And gather gaudy plume for her,
Whose glance his soul had stirred:

That, from the arrowy limpid wave,
He'd lure the glittering fish,
To furnish luscious food for her,
From out their golden dish.

That his firm hand the pliant boughs,
To form their hut, should weave,

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Where ne'er should enter aught of ill,
His wild-wood bride to grieve.

They rose on lawn, where old and young
Had led the dance to song;
That pleasant pastime no more theirs,
Through suns they toiled so long.

Or, if in dance they e'er would join,
Their ballads now were sad—
A doleful strain, that spake of bliss,
E'er came the white man bad;

Those frowning walls so high to rear—
To chain each red man's soul—
Dread fiends to cause their throats to tear,
To make loud thunders roll.

Again will turn the trodden worm—
They'd hold the whites from bread;
The maize destroyed, the fruits, the roots,
To hills they swiftly fled.

Crushed by his nation's hatred deep,
That hapless Indian chief
Who e'er to Colon's interests held,
Soon, soon expired of grief!

And thus had Marguerite's cruelty,
With aid from priestly Boyle,
Wrought all these direful events,
Columbus thus to foil.

And oh! his acts to blacken o'er,
They strove at Spanish court,
By weaving falsehoods fair with truth,
Their web it well was wrought.

Don Juan d'Aguado, King and Queen,
Commissioner now would send
To Hispaniola, deep to sift
Such deeds, which then should end.

Aguado there, he listed well
To every dastard's tale,
Whose crimes had earned him reprimand,
Then turned him home to sail.

Columbus, too, resolved to part
From that seditious isle;
But bore throughout a steady heart,
Seeming serene the while.

A gold mine ere he parted, gleamed
On a river Hayna called;
A fortress near the spot arose,
With miners good installed.

YEAR 1496.

And now the viceroy all arranged,
Again to visit Spain,
Aguado, in another ship,
Embarked upon the main.

Bartholomew, a man of might,
The island should command;
Successfully, its turbulence
He'd check, with vigorous hand.

The sick—the idle—profligate—
Embarked upon the sea,
With Colon;—thirty red men too:
A motley company!

Caónabo, the great cacique—
His wild wings clipped, was there;
He murmured not; but on his brow
Was stamped a deep despair.

And so the children of the wood
The viceroy hoped to gain,
By mighty sovereigns' grandeur shewn,
And wonders great, of Spain.

These guileless ones he'd given the hope
Of safe and swift return;
He thought the rites of Holy Church
In Spain, to love, they'd learn.

Of stranger seas, unknowing all,
The admiral eastward steered;
Soon to the warlike Caribs' holds,
So leisurely he veered.

The sweet fresh draught was failing fast,
From Carib streams they'd fill.
Soon, soon a horde of furious fiends
Assailed them, blood to spill!

Tall Amazonian warriors fought
The fiercest of them all;
One cacique fair, for all her skill,
They safely held in thrall.

For brave Caónabo, 'twas seen,
A Carib he, by birth,
Such whelming passion she'd conceived,
She'd part from all on earth.

Misfortunes dire, and bravery, thus,
Could win such female heart;
But sad Caónabo, to her,
Would play no lover's part.

In his changed fate, the fallacy
Of human grandeur's shown,
As "Lord of the Golden House and Mount,"
To us, he *first* was known.

Yet there reclined he,—naked, then,
That "moving house" within—
In bondage bound, and no one e'er
To his lip a smile could win.

One dreary day, upon the deep,
There rose a fearful moan;
The wild-soul, fluttering, burst its cage—
Caónabo was gone!

There stretched the noble Carib corse,
The quiver by its side;
With bow unstrung—with tarnished plume
Yet still with air of pride!

The stony stare of ghastly death,
A frightful contrast drew,
To the glaring red of painted cheeks,
And the mantle's iris hue.

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They sent the *form* of Nature's child
To coral caves below;
The *soul*, let's trust, arose to rove
Where streams elysian flow.

Columbus now,—from Guadaloupe,
Against the current strong
Of trade winds great, must work his way;
Thus long they voyaged,—long.

'Twas in the flowery month of June
They entered Cadiz' bay,
With famine gaunt; for long months three
They'd wended on their way.

Out rushed the populace, in throngs,
To greet the landing there
Of that once hoping, ardent crowd,
That had sailed with joyous air.

Ah! no elated band was this,
All flushed with golden gains;
There crawled from forth the caravels
Pale forms, oppressed with pains.

Columbus, clad in Monkish garb,
His waist by a cord entwined;
His beard as that of friar grown,
Stepped forth with troubled mind.

The Indians yet, in glittering gold,
He gaily all arrayed:
The brother of Caónabo
A massive chain displayed,

Of gold; and collar all so bright,
As "Lord of the Golden House,
And Cacique of the Golden Mount:"
Fresh hopes would he produce.

In sadness Colon reached the court—
Lo! his reception showed
The sovereigns still of gracious moods—
His hopes soon brightly glowed:

For soon his fertile mind conceived
A glorious enterprise;
He'd further great discoveries make—
New fame from such must rise.

Assent the sovereigns promptly gave,
But barriers there arose;
Fled had the charm that draped those isles,
In soft *couleur de rose.*

Columbus then at fault, he urged
A measure fraught with ill,
Which proved of evils dire the source:
Two barks now would he fill,

With galley slaves—though guilty ones,
Yet suffering not for crimes
Of most atrocious deadly dye;
And these he'd speed betimes,

To isle Hispaniola fair,
Whilst coursed he on his way;
Now ecclesiastic enemies,
They wrought him much delay.

Ere parted he, the sovereigns just
Decreed that there should fall
To his lineal heirs, *forevermore*,
The title,—*Admiral.*

Then, too, for Don Bartholomew,
His brother true and bold,
The title, *Adelantado*, there,
In th' isles he e'er should hold.

YEAR 1498.

One gladsome morn, from San Lucar,
Sailed—*Expedition Third:*
Before the wind, each gallant ship
Did onward scud,—as bird

With snowy wing—that flapped the breeze,
Each skimmed the rippling wave;
The admiral stately paced on deck,
With visage high and grave.

From the Cape de Verdes—*south-westward* course
To sail, did he design,
And that to hold, till 'neath, he'd be
The equinoctial line.

Then—this dividing line beneath,
Due *westward* would he steer,
When soon, he hoped, that shining land
To his vision would appear,

With precious stones, and ores oppressed,
And fragrant spices too,
Which Indians rumored, far to *south*,
One surely there might view.

From such south realm, with faces dark,
Of men that came—they'd told,
Whose javelins showed ther shining heads,
Wrought all of virgin gold.

Of *latitude north*, degree the *fifth*,
His record told, he'd found;
The breeze, so fresh, all suddenly
Was waived, 'twas calm around.

The air seemed breath of furnace hot—
The ships wept tarry tears—
Their yawning seams—the viands marred—
Lost bev'rage—stirring fears.

Then fell dull, drizzling, drizzling showers,
With dead and stifling air;
The Admiral's frame was racked with pains,
His seamen knew despair.

So due *northwest* held he away,
For the fiendish Carib's den,
His barks so frail to firm amend,
From rills purloin again.

On, on they sailed, and on they sailed;
Suddenly then they knew
A fresh and genial atmosphere,
And sky of loveliest blue.

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But ah! they hailed a freshening draught,
That thirst could they withstand!
From mast-head high now burst a cry,
The joyous cry of "*land!*"

The Admiral's falcon eye discerned
Th' horizon far above,
Three mountains' heads upshooting there;
He named them name of love—

La Trinidad—oh! holy words!
God-head! The Trinity!
On, on, he strained, and soon he gained
Three mounts' vicinity.

It proved, be sure, an island fair—
Lo! as he skimmed its shore,
Land he espied, away to *south*,
By him unseen before.

'Twas strange! yet now he little dreamed,
Though far it seemed to reach—
There, to his vision then vouchsafed,
Was th' object of his search.

Yes! there our *southern continent* lay!
That low tract 'twas of coast,
The noble Orinoco sweeps:
He deemed it at the most,

The orient realm; so then he steered
The Parian Gulf around;
But whelming rush of waters came—
Those braves they nigh were drowned.

Their feet now pressed the Parian coast—
Its natives slightly fair,
With orbs of beaming intellect,
Courageous, mild they were.

Nigh to the belt that girds the world
It gleamed, that lovely shore!
He mused—the earth must sure be shaped
As none had dreamed of yore.

A sphere all perfect,—no! 'twas not!
'Twas shaped as any *pear*,
A portion *central*, towering up
To pure ethereal air—

High o'er the heats, the frosts, the storms—
This *apex* then must stand
About the cincture of our globe,
As *centre* of that land.

Yes! on this *summit*, as it were,
Of our terrestrial loam,
There smiled sweet Eden's garden yet,
Of parents first, the home!

That stream so vast, of waters fresh,
In Paria's gulf—that flood
It rolled from fount of "Tree of Life,"
That in *blest Garden* stood!

Now, reader, though this brilliant dream
Seem *phantasy* strange to thee,
A deal *wrote sages then* to prove
That glorious *Tree* to be,

Still placed in Eden's blissful bower,
That still capped mountain high,
Far towering up aloft, remote
From ken of human eye.

Of *stores* the Admiral's barks were scant,
His frame by hardships racked—
From toil, from wakeful weariness,
His sight he nearly lacked.

He, by a *strait*, passed out between
Mainland and Trinidad—
Knowing a *continent* was there
He sought his island glad.

And hoped he then repose to gain
In Hispaniola's isle,
There many a trouble did him wait:
Why thus, I'll tell the while. ADA.

(TO BE CONTINUED.)

A DUEL IN 1788, AND IN 1794.*

I.

An extraordinary event occurred in 1788—an event which agitated, not precisely Paris, for the city paid but little attention to it, but the entire court. Versailles was startled at it; the wits and sceptics were struck dumb; the *Œil-de-bœuf* astounded. A marquis had fought with a common soldier in a duel!—with the sword! and this, in open day, on a fine morning in July, in the environs, then deserted, of the mansion of Beaumarchais. When, a year after, De la Rochefoucault said to Louis XVI., "Sire, it is not an insurrection, it is a revolution," the duke did not dazzle the monarch with a light more sudden than that with which this

* The above tale is translated from the "Courier des Etats Unis," and we recommend its perusal, as conveying a graphic picture of the dissolute manners of the epoch. It will be concluded in the next number.

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duel, between a marquis and a common soldier, then dazzled the eyes of the short-sighted courtiers; but it was a momentary flash, which passed like the lightning, and left all in its former obscurity. No one beheld in this event, that which lay beneath its surface—all looked upon it as an enormity, without cause and without object, the ridiculous fanfaronade of a brave courtier, of a gentleman, so imprudent as to be drawn into a quarrel with a commoner; and the wits pleasantly compared the Marquis de Lussan to a senator, who might have displayed so little self-respect as to contend with a gladiator—with a man destined to the wild beasts. That which added to the interest of this event, in itself singular at this epoch, was the circumstances which had accompanied it, and which we are about to narrate.

The Marquis de Lussan was riding through the Rue St. Honoré, in one of those light cabriolets so common in our days, but the use of which was then quite recent, since they dated only from the close of the reign of Louis XV., and were considered so dangerous, that they drew from the egotistical lover of Madame Du Barry the remark: "If I were prefect of the police, I would prohibit cabriolets." Serious, or even reasonable persons, never rode in these vehicles. With the young marquises, on the contrary, they were high in favor; and as it was considered in good taste to drive oneself after the English fashion, accidents were so frequent as to justify the words of Louis XV. The Marquis de Lussan was proceeding toward the Rue de la Farronerie; and although owing to the vicinity of the market Des Innocents, the street was thronged with people, yet M. de Lussan by no means slackened his speed; indeed, his horse had not broken from a fast trot since he left the Palais Royal, where he had been to see M. de Laclos, one of the Duke of Orleans' secretaries, whom he often visited. A man, in common garb, stood in his road, and, whether from absence of mind or from surliness, he took no trouble to get out of the way. The marquis dealt him a blow with the lash of his whip across the shoulders; the man turned quickly, and M. de Lussan struck him a second time upon the face; the former then seized the whip with both hands, broke it, and cast the fragments into the marquis's face. The horse had stopped. M. de Lussan leaped from his cabriolet; his domestic followed his example; and while the latter grasped the two hands of the stranger, the marquis, with his white and perfumed hand, struck the poor fellow twice upon the cheek. The latter, with a rapid movement, hurled the domestic into the kennel, rushed upon M. de Lussan, and seizing him by his lace cravat, he cried, shaking him violently,

"To insult a soldier of the regiment of Champagne—to strike him in the face! Ah, ha, sir! you shall give me satisfaction! do you hear? you shall give me satisfaction!"

The domestic had by this time risen, and was assisting his master to liberate himself from the grasp of his antagonist.

"How, knave!" cried the marquis, "do you rebel? Ah! you belong to the regiment of Champagne. I will speak a word or two with your colonel. What is your name, fellow?"

The soldier freed himself anew from the hands of the domestic, who tried to grapple with him, and shaking his fist at the marquis, but without striking him, he said—

"Jerome Maubert, a soldier on furlough, who has the honor to serve in Royal Champagne, at present lodging in Paris, gate Saint-Denis, with the barber who lives on the corner, at the right of the faubourg. And you, sir your name and address?"

There was in Jerome's accent so much self-respect, and at the same time, so much firmness without arrogance, that the marquis stood for a moment silent; his natural courage, and that instinctive sense of justice with

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which all are endowed, and of which no man can entirely divest himself, caused him to hesitate for an instant; but this hesitation was short; the prejudices of rank soon gained the ascendancy; a smile of disdain played around the lips of the Marquis de Lussan, for he was far from thinking himself called upon to accept this insolent challenge.

"It is enough, fellow! I will speak of you to your colonel."

He leaped into his cabriolet, his domestic mounted behind it, and the horse, although urged only by the reins, darted off at full speed, and proceeding down the Rue de la Ferronerie, turned into the Rue Saint-Denis.

"As cowardly as insolent!" said the soldier; "but I will find him again, and I will retaliate the insult."

All who had witnessed this scene, and who had heard this menace, as they beheld the flashing, angry eye of the soldier, did not doubt that it would soon be carried into effect. Still, the marquis was far from being a coward; on the contrary, he was a young man of extreme personal bravery; an equivocal gesture, a word ill understood or ill explained, would have at once led him upon the ground, but with his equal. Whatever might be the insult which he had inflicted upon a man of the people, he did not think himself bound to any kind of reparation; and it would have been with the utmost possible sincerity, and from pure kindness, that he would have suffered one of his domestics to fight with Jerome Maubert, if the latter had the insolence to think himself affronted. The flight of the marquis, or rather, his precipitate departure, was in no wise prompted by cowardice; he was in great haste—he had much business on his hands to-day—he was to be married in the evening.

The French nobility were at that time very imperfectly educated. We need no other proof of this, than the confession of one of the most brilliant gentlemen of the court of Louis XVI., the Duke of Lauzun.

"The difficulty," he says in his memoirs, "of providing me with a good governor, induced my father to entrust me to the care of a lackey of my deceased mother's, a man who knew how to read, and even to write passably well. He succeeded in teaching me these two accomplishments. I was, in other respects, like all children of my age and rank; I wore the finest clothes when I went out; I was naked and famishing at home. At twelve, they made me enter a regiment of guards, the command of which the king had promised me upon the death of its present colonel; and at this early age, I knew that I was destined to an immense fortune, and to the finest posts in the kingdom, without being obliged to take the trouble to deserve them."

An education like that of which the Duke of Lauzun complains, had spoiled the natural good qualities of the Marquis de Lussan. Endowed by nature with sound sense, an upright soul, he had entered the world when very young, and possessing a handsome face, a noble name and a large fortune, he thought that it would be in good taste to play the part of the Marquis de Moncade. He kept horses, mistresses, made bets, which he usually lost, gamed, and it was not long before he had squandered his patrimony and pledged his lands; then he became the prey of men of business, of usurers, and reduced to the necessity of taking a decisive step—he thought of marrying.

There was at Paris a farmer of the revenue, a collector. The marquis was not exactly acquainted with the trade of M. Mélan, (this was his name,) but he owed him enormous sums. Mélan held in his possession the title-deeds of the marquis's estate, and became, from day to day, more exacting in his demands, and more difficult to satisfy. He was considered very rich, and had but an only daughter, who was destined to inherit his immense fortune. It was proposed that the marquis should espouse her;

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necessity compelled him to consent, and the affair was concluded. As we have said, the marriage was to take place this evening. Still, the most difficult part of the business remained to be settled by M. de Lussan. In a few hours he would sign a contract, which would render him wealthy, and which would bestow his name upon a young girl whom he had scarcely seen, and who but a few months since had left the convent; but, notwithstanding the promise which he had given, if this marriage did not please a person, to whose house he was driving at the moment when he encountered Jerome Maubert, nothing was accomplished; and it is probable that the violence of which he had been guilty toward the soldier of the regiment of Champagne, was owing, in a great degree, to the irritable condition of his mind, which wavered between the fear of displeasing a woman whom he loved, and vexation at the thought of being obliged, perhaps, to retract his pledged word. This woman was a charming creature, who wanted but a little virtue to be extremely seductive, and who had seduced the marquis even without that little. She never visited the court. At Paris, she was called Madame de Saint-Didier; but no one had ever known the M. de Saint-Didier, whose widow she claimed to be, nor any Saint-Didier related or allied to her. She had had some *liaisons*, which had partly compromised her character, when the marquis saw her, and fell in love with her. She was one of those women whom a man never marries, but whose chains are not easily shaken off, and whose extravagant tastes are formed to devour heritages. It was not long before the marquis perceived this; his fortune melted away in the hands of Herminie, whom he had made the fashion; and if he married, if he espoused Mademoiselle Mélan, it was that he might be able to defray the expenses which he feared another would defray in his place. Far from thinking of giving up his mistress, M. de Lussan wished only to acquire the means to avoid being supplanted. He entered the dwelling of Herminie de Saint-Didier with that air of careless ease which he always wore, or affected to wear. His handsome face preserved no trace of the event, slight in his eyes, which had detained him for a moment in the Rue Saint-Honoré, and he approached the young woman with a smile of good-natured mockery, which the latter did not appear to observe, busied as she was in caressing a little perroquet, which was repeating her name.

"Talk to your perroquet, Herminie; talk, and listen to it. That is better than doing business with my horse-dealer. Would you believe it, that old scoundrel, Jacob, refuses to sell me those two sorrels which you have set your heart upon. He insists upon the cash."

"It is very ridiculous, marquis," replied Madame de Saint-Didier, with a charming smile; "why do you not apply to your—"

"My intendant?"

"No, the other; M. Mélan, the man who lends you money so readily upon the estate of Lussan."

"I have seen him, and he asserts that my estate is pledged beyond its value."

"Cut down the wood."

"The proceeds of which would remain in the hands of M. Mélan. No, indeed; I have resolved upon another course, which will put me in possession of my estate, and which will, at the same time, permit me to draw at pleasure from the chest of the collector. I am about to espouse his daughter."

"In truth, an excellent idea; and I am provoked with myself at not having hit upon it."

Not a muscle moved in the charming face of Madame de Saint-Didier; her transparent eyelids did not sink over her eyes; her lips did not stir, and

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not the slightest flush colored her white and rosy cheeks. Notwithstanding the affected carelessness of the marquis, this indifference surprised him, for he really loved this young woman, and he would have been pleased to see her display a little jealousy. It is true, to look for this jealousy was at variance with the customs of a time when the person whom a husband was allowed to see the most rarely, and to love the least, was his wife; but it was a natural feeling which the marquis could not stifle at once; he recovered his composure with such readiness, however, that Madame de Saint-Didier did not suspect his slight vexation.

"And do you know the little creature?" she inquired. "Is she passable?"

"I believe she is so-so!" replied the marquis, turning upon his heels; "it is a mere child, that knows nothing, and has seen nothing; whom I will send to my estate, as soon as I have presented her at court. By-the-bye," he continued, "you shall have those sorrels to-morrow."

"Her heart is unoccupied, doubtless," said Madame de Saint-Didier, without replying to his remark.

"Why, not exactly, madam," rejoined the marquis; "she has a lover."

"Whom your marriage renders wretched."

"Precisely; a little councillor, handsome as Adonis. It is an affection of childhood; they have known each other from the cradle."

"You have here a dangerous rival, marquis."

"I think so; and if I had not M. Mélan on my side, who is resolved that his daughter shall be a marquise, I should have no chance."

"And you intend to stipulate that this M——. How is he called?"

"Cressy."

"You intend to stipulate that this M. Cressy shall not present himself at your hotel?"

"By no means. I have invited him to the wedding. These low people have old customs; they have bridemen at their marriages. I have resolved that the handsome councillor shall be the brideman of the marquise."

"You are magnanimous; one could not——"

"I will do more, madame," said the marquis; "I have told you that I shall send the marquise to my estate. Well, I shall permit the councillor to accompany her."

"You jest, marquis; you will never push what they call politeness to this extent."

"I give you my word upon it."

"I will wager," said Madame de Saint-Didier, "that the Councillor Cressy will not be present at your nuptials. If he is deeply in love, he will never be able to endure the sight of your happiness."

"I cannot say what he will do," replied the marquis; "at all events, he will have no right to complain of me, for I have made him all possible advances. But these gentlemen of the gown have no confidence in us; they will not believe in our good faith; and, besides, when people of this sort meet with an accident like this which afflicts M. Cressy, they do not know how to support it; it is a weakness."

Madame de Saint-Didier still insisted, that, although she was persuaded that the marquis would not love his wife, and that his marriage was purely an affair of business, he would still feel some jealousy at the love of the young councillor, and under this pretext she demanded particulars; she inquired after his size, his features, the color of his eyes and hair. The marquis replied as if he did not attach the least importance to these questions, and whose slightest care was the loves of M. Cressy and the young girl whom he was about to marry.

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"Herminie," said the marquis, at last, when he had satisfied her curiosity, "how do you intend to pass the evening?"

The young woman glanced upon him with an arch air.

"What mean you, marquis? Do you think of advising me to spend a few days in the country?"

"Not the least in the world," replied the marquis, delighted at the chagrin which his approaching marriage appeared at last to cause Madame de Saint-Didier. "I suppose, merely, that you will go this evening to the opera, and—that, for a reason with which you are acquainted, I shall not be able to escort you home, but I beg you to sup here, and to count upon my company."

"This evening?"

"Yes, in truth, this evening."

"The evening of your marriage?"

"Why not? you know that in marrying, I do not intend to change my habits, or to renounce the happiness of your society."

The marquis insisted; the young woman hesitated, affecting to consider the thing as impossible; and M. de Lussan left Madame de Saint-Didier delighted at having found her more reasonable than he expected. He returned to his hotel, placed himself under the hands of his *valet-de-chambre*, then entering his carriage, he drove to the abode of the rich collector, whose daughter he was about to espouse. The only thing which he had completely forgotten, was the mortal insult which he had given to Jerome Maubert, a soldier in the regiment of Champagne.

II.

Before the revolution of —89, as soon as a man had grown wealthy, he passed from one passion to another, and his cupidity, once satisfied, he wished for consideration. The lower his origin, the more numerous the acts of extortion and robbery, by which he had acquired his fortune, the more eagerly he desired to ally himself with the nobility, in the evident aim of sheltering himself against every vexatious investigation, and of acquiring protectors who might have sufficient credit to shield him from any examination into his accounts. The nobles, on their side, ruined by their luxury and debauchery, sought alliance with the financiers, in order to continue their life of dissipation, and they espoused without reluctance the daughters of enriched lackeys, reserving to themselves the right to despise them, while they ruined them. It was perfectly natural that a man of the court who thus soiled his escutcheon, should occupy himself very little with his wife, and that he should leave her entire mistress of her conduct, since he persisted in making no change in his own. Thus, the treasures which the collectors had extorted from the people, returned, by these *mésalliances* definitively to the nobles, and the result was a fusion of vices, which gangrened the nation. The stage naturally caught at these follies, and depicted their odiousness in the most glaring colors. The comedies antecedent to —89, are the best memoirs of the time; and the remark of the witty academician, that were we to lose the records of our history, it might be compiled anew from the stage, was as pertinent as it was true.

The Marquis de Lussan espoused the daughter of Mélan. We will not here relate the details of this wedding, the formalities of which the marquis abridged with an eagerness, which convinced all of his love for his young wife, while, at the bottom of his heart, he was in haste to despatch the ceremony, only with the view of repairing in season to the abode of Madame de

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Saint-Didier. It was scarcely ten o'clock, when he rode home, accompanied by his wife. The marquise was conducted to her apartments, and when her women had been dismissed, the marquis crossed the threshold of the nuptial chamber. He was dressed in all the splendor of a court garb; the embroidered coat, the perruque perfumed with powder *à la maréchale*, and red-heeled shoes. This was scarcely the attire suited to a bridegroom; but, as we have seen, he intended to make but a short stay in the apartments of the marquise, a visit of etiquette, commanded by circumstances and good taste. The marquise, with hair unloosed, and attired in a charming night dress, was seated in a large arm-chair; near her, a wax taper was burning, in a silver-gilt candelabra; she held a book in her hand, and her eyes wandered from its pages, which she did not read, to the furniture and the hangings of her bedchamber, the novel luxury of which involuntarily attracted her glances. She was weeping; two streams of tears coursed down her cheeks, which in the morning were still plebeian, and from which a waiting maid had just removed the rouge—the rouge! that mark of her new nobility, which had, this night, for the first time, touched her fair and delicate skin. Formerly, no two things could be more unlike each other than a woman, seen in her saloon, confined by her stays of whalebone, enveloped in the hoops of her brocade petticoat, her form heightened and disfigured by the structure of her hair, and the same woman, free from all shackles, her hair restored to its natural color, her form elastic and easy, her face freed from its patches and its vermilion. It was a complete metamorphosis; it was to pass from the contemplation of a stiff, starched mannikin, to that of a statue of Phidias, or a Venus of Praxiteles. The marquis approached gently, step by step; and his feet, covered with light shoes, touched the carpet without the slightest noise, so that he reached the arm-chair in which the young girl was seated, before she suspected his presence; he then coughed slightly, and the marquise turned her head in alarm.

"Ah!" she said, "M. de Lussan!"

"Yes, it is I, and, most certainly, at this moment, at this hour, above all, on this evening, your women excepted, it could be no other than I."

Although Mademoiselle Mélan had but lately left the convent, she knew enough to understand, from the dress of the marquis, that the event which she expected, was, at least, delayed for one day, and she felt somewhat reassured. When a man comes to pass the night with his wife, he does not make his appearance in an embroidered coat, and with a sword at his side. It was not that the young wife felt any aversion for her husband; she neither loved nor hated him; he terrified her. His lordly airs, his tone of raillery, affrighted her; she felt humble and timid in the presence of this great lord; she had scarcely the strength to speak; she scarcely ventured to raise her eyes from the ground.

"Ha!" *mon dieu!*" said the marquis, who now for the first time observed her with attention, "you are weeping, madam?"

And before the marquise was able to reply, he said, aside—

"But parbleu! the marquise is a hundred times more charming than I thought. What beautiful black hair! what superb eyes! I have seldom seen a complexion more brilliant and uniform! She will make a sensation at court, I swear it! Ah, ha! madam," he said aloud, "one would think to see you thus in tears that you were sorry to be a marquise, and Marquise de Lussan, above all. What is the cause of your chagrin? has anything happened to displease you to-day? are you dissatisfied with this hotel? does not this furniture suit you? perhaps you wish to send away one of your women? Speak, madam, speak! you are mistress here; your wishes are commands."

The marquise's tears flowed afresh.

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"We are but slightly acquainted," continued the marquis, "and our habits are necessarily different. It may be that we are not suited to each other; let that cause you no uneasiness; I neither wish to be under constraint myself, nor do I wish to constrain you; you shall have your apartment and I mine; you already have your domestics, dispose of them at your pleasure. I will leave you to choose your society, madam, and I will ask you only occasionally to embellish mine—in the winter—when you please.—I think that, during the summer, you would prefer to reside on the estate of Lussan, a superb castle, with vast forests, and all that, within twenty leagues of Paris."

"Yes, sir," said the marquise, still sobbing, "but it is because—"

"Because what?'

"Because—"

"Ah! I understand," rejoined the marquis, "the little councillor, M. Cressy, who is handsome as an angel, whom you have known from childhood, with whom you have been reared. Well, madam, we have not seen him to-day; that is not well; it is not polite, for I had invited him. But you, madam, will be more fortunate than I. When you quit Paris for the castle of Lussan, you will invite him, in your turn, and I am certain that you will easily persuade him to accompany you."

"It seems to me," thought the marquis, "that she ought to be satisfied; but these ill-bred girls understand nothing. Come," he continued, aloud, "dry your tears; what would people think of me, if they should see you? They would say that I was a tyrant, a barbarian, a ridiculous husband, a low fellow, without breeding or politeness."

As he spoke, he advanced a step, took his wife's hand and kissed it with gallantry; then, yielding to the pleasure which he found, almost in his own despite, in gazing upon beauty, which he had never suspected until now, he took a seat in an arm chair, which was so placed that he could view, at his ease, that graceful form, that charming face—charming indeed, although bathed in tears. He had espoused, without knowing it, a young girl of perfect loveliness. Madame de Saint-Didier was very beautiful; all extolled the admirable proportions of her arms, the elegance of her air, the piquant expression of her face; in a word, she was the fashion—all envied the marquis, who, for so long a time, had alone enjoyed the right to tell her this; but, leaving out of the question her equivocal position, which was but ill-masked by the borrowed name which she had assumed, this female was ten years older than the marquise, and in the eyes of M. de Lussan, possession diminished the value of charms which, in reality, could not compare with those of this woman, who was his, and whom he could console, perhaps, with a single word. Vanity and the fear of ridicule prevented the marquis from yielding so easily. He thought, merely, that the little councillor was a very happy man, if the tears which he beheld were caused by his absence, and he resolved to enlighten himself on this point. If this were so, it would be so piquant to send for his rival; and M. de Lussan carried his heroism, as he called it, sufficiently far to push matters to that pass.

"Ah, ha! but, madam," he said, "you love this M. Cressy very much, then?"

"He is my cousin," replied the latter, in a faltering voice.

"I know it, and he is a very pretty fellow. But M. Cressy is still your cousin, and I say again, I will not prevent you from seeing him."

"But, then," replied the marquise, "I had promised never to marry any one but him; and—"

"And you have just broken your word," pursued the marquis; "that is vexatious, but what is to be done?"

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"And I gave him another promise besides."

"Ah, ha! let us hear it?"

As the marquis uttered these words, a little porcelain clock, which displayed the loves of Estelle and of Nemorin, struck eleven—the opera was over, and Madame de Saint-Didier must be awaiting him.

"You will tell me all this some other time, madam; we shall see each other again. I leave you mistress here, and at perfect liberty; do what you will—go, come, command—adieu, madam, adieu!"

And the marquis, delighted at having escaped at so cheap a rate from his first night of wedlock, turned upon his heels, descended the staircase, leaped into his carriage, and drove to the apartments of Madame de Saint-Didier.

"By my faith, my wife is charming! If I had had the weakness to remain with her a moment longer, I should not have left her. This little councillor, this M. Cressy, is a very fortunate fellow!"

Nothing was easier for the marquis, in his own opinion, at least, than to supplant this ephemeral rival. He had but to deign to be agreeable for a moment, and this little councillor would be forgotten; he had but to use his rights, and the remembrance of a puerile love would vanish, would yield before the advances of a young courtier. But to love his wife, to be loved by her—above all, when this wife was a girl of low origin—this was too vulgar, and would cover him with unpardonable ridicule at Versailles. To quit Madame de Saint-Didier was to descend a step. He quietly suffered himself, therefore, to be driven to her apartments, and ascended, without difficulty, an obscure staircase, with the windings of which he was perfectly familiar. When in the hall, he heard a loud burst of laughter from Madame de Saint-Didier.

"Good!" he said to himself, "she has invited some of her gayest acquaintances, or perhaps the chevalier and the commander have escorted her from the opera, and will sup with us. I am late—they are at table."

Still the supper room was vacant, and it seemed to him that the laughter which, to his ear, had a tone of mockery, came from the boudoir; this was a serious matter, for it announced the presence of a single person, and indicated a *tête-a-tête*, quite annoying to the marquis.

"It is impossible," he said; "she would not dare! besides, she expects me."

He crossed a deserted saloon; he glided along a kind of secret passage, into a corridor, which led him to the half-open door of the boudoir, and beheld Madame de Saint-Didier in an enticing costume, with glass in hand, reaching her pretty arm toward the glass, filled to the brim with champagne, which was held out to her by a handsome youth, blooming, rosy, and above all, young as Cupid. At this epoch, each class of society had its particular costume; the courtier wore an embroidered coat, the lawyer a black one; the companion of Madame de Saint-Didier was dressed in black, and the long locks of his curled perruque fell over his shoulders.

"It is a lawyer," thought the marquis; "decidedly the black gowns have a grudge against me. If I should have a lawsuit I am lost."

The supper had been commenced long since, and raising himself upon tip-toe, the marquis could see in the plates the piquant truffles which had perfumed a pullet from Bresse.

"I drink to the unfaithful," said Madame de Saint-Didier. "It is right to pardon them," she added, tenderly, "above all, when they gain by the exchange—and you gain by it. See, look at me! do I not please you better than an ill-bred creature, who has jilted you?"

The young lawyer, excited by the champagne, and by the blandishments

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of a seductive woman, was by no means inclined to contradict her; still, a kind of disquietude troubled his happiness.

"Do you not fear," he said, "lest the Marquis——"

"Ah!" replied Madame de Saint-Didier, "you are unjust towards the new marquise; that is very wrong. I do not object to your being unfaithful, but you should not be forgetful to this degree. How! you, who two hours ago were dying with love—you, who thought it impossible that you could ever be consoled—you now doubt whether your little cousin is sufficiently charming to retain the marquis with her. It will do very well for me to think her ugly and ill-bred; but you——"

The lawyer was about to reply, and, doubtless, with the gallantry suited to the occasion, when he raised his eyes and beheld the marquis. He turned pale; he trembled; his glass escaped from his hand before he could place it to his lips, and the champagne flowed in a foaming stream upon the cloth. Madame de Saint-Didier turned her head, and on seeing the marquis, she gave way to a burst of laughter, so hearty and prolonged, that M. de Lussan, notwithstanding his ill-humor, controlled himself, in order to see how the scene would end.

"You were right, marquis," said Madame de Saint-Didier, as soon as she was able to speak, "you were right in extolling so highly your wife's little cousin. He is charming—look at him—it is he—it is M. Cressy. What do you think of him? he is as handsome as a Cupid! Well, do you not thank me? I carry off a lover from your wife—I break the charm of a first passion, and you really look as if you were not obliged to me for it!"

The lawyer, surprised thus with the mistress of a nobleman, trembled with affright; the marquis was pale with anger. Herminie de Saint-Didier, alone, was delighted at having provoked the jealousy of her lover, and compromised the young councillor, whom she was sure to find again whenever she wished. M. de Lussan now followed the advice of Madame de Saint-Didier; he gazed attentively at M. Cressy, twice his rival, and this scrutiny convinced him of the extreme beauty of the young lawyer. Then, this man who would not have been moved at the infidelity of his wife, was unable to endure the thoughts of being supplanted in the favor of his mistress.

"Begone, sir!" he said to the councillor, with a gesture of menace.

The latter, who was far from combining courage with beauty, and who, like Paris, was disposed to fly before Menelaus, at once rose.

"The Marquis de Lussan," said Madame de Saint-Didier, "forgets that he is not in his own house."

Notwithstanding the encouragement conveyed by these words, the lawyer did not think it prudent to remain longer. Taking advantage of a side door, which enabled him to avoid coming in contact with the marquis as he went out, he escaped, without exposing himself to a personal altercation with a man, whose privilege it was to wear a sword; thus abandoning pleasures which he found far too perilous for him.

(TO BE CONTINUED.)

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FOLLIES OF THE FACULTY.

(Continued.)

In resuming our survey of the mummeries and mysteries of the medical profession, we venture a few words as preliminary, in reference to the analogy and reciprocal influence of the body and soul,—mind and matter. That such analogy exists, and exhibits itself in a most indubitable manner, exerting also a most powerful sympathy, none, of course, will question; were it otherwise a matter in dispute, we might offer many able suggestions proposed by various physicians and metaphysicians; but we shall content ourselves by simply quoting a passage on the subject, from Mr. Haslam, in his work on "*Sound Mind.*" Referring to these curious analogies, he says,—"There seems to be a considerable similarity between the morbid state of the instruments of voluntary motion, (i. e. the body,) and certain affections of the mental powers. Thus, paralysis has its counterpart in the defects of recollection, where the utmost endeavor to remember is ineffectually exerted. Tremor may be compared with incapability of fixing the attention; and this involuntary state of the muscles, ordinarily subjected to the will, also finds a parallel where the mind loses its influence in the train of thought, and becomes subject to spontaneous intrusions: as may be exemplified in reveries, dreaming, and some species of madness." Excessive irritability of the brain is the result of inordinate mental excitement; the physical economy thus becomes deranged, and this condition of bodily disease again re-acts prejudicially on the mental powers. These effects are more or less observable under different conditions; much depending on organic structure, constitutional predisposition, climate, or the peculiar circumstances by which the individual may be surrounded. While the effects, however, of this reciprocal influence of mind and matter are apparent, the cause remains unrevealed; and to this fact may be referred the many ludicrous blunders and wild imaginings of sundry wiseacres, who have sought to account for a matter so occult. Mr. D'Israeli has some pertinent and pithy remarks upon this point, which, could we afford the space, we should be tempted to transfer. So inscrutable and all-pervading is this union and sympathy between the "fleshly tabernacle" and its noble occupant, that in essaying to address any part of the fabric, the dweller is inevitably found to respond to the appeal. Physiologists tell us that our imagination is freest when the stomach is but slightly replenished with food; it is also more healthful in spring than in winter; in solitude than in company; and in modulated light, rather than in the full blaze of the noonday sun. Climate affects the temper, because it first influences the muscular system and the animal solids; and who does not know that our happiness and repose are dependent upon the well-balanced condition of the biliary system. In such cases, it is the province of medicine to rectify the moral, as well as the physical derangement at the same moment of time. An eminent physician at Leyden, Dr. Gaubius, who styled himself "Professor of the Passions," recites a curious case of a female patient, upon whom he repeatedly enacted venesection, being of an inflammable temperament, as avouched by her liege-lord; which operation, he says, finally induced

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the happiest results. This erudite practitioner was as *au fait* at metaphysics as medicine; he cured morals and manners, as well as mortal maladies of the body. Is there not, therefore, a more intimate connection between these two elements of our being, than has been generally admitted? Dryden, it will be recollected, confessed his indebtedness to cathartics for the propitiating of his muse; his imaginative faculty being thus dependent, as he thought, upon the elasticity of his viscera. And as we before intimated, there are, unquestionably, constitutional moral disorders—such as temporary or periodical fits of passion, or melancholy, as well as other impulsive emotions; these, for the most part, are involuntary, or easily provoked, under certain exciting circumstances. A moral patient, who suffers himself to become the wretched victim of intemperance, is sure to need only opiates; and nature, in due time, recovers from the outrage, although he may not from the disgrace. And when some pitiable wight is found suffering from the master-passion, love—a perfect tyrant in its way, which usually overturns all a man's common sense, and blinds him into the bargain,—the unfortunate one is sure to come "right side up," in his sober senses, too, by administering the process of a cold bath in the river, provided some benevolent by-stander rescue him in time to cheat the fishes. A certain Milanese doctor is said to have resorted to a similar expedient for the cure of madness, and other distempers. His practice consisted in placing his patients in a great high-walled enclosure, in the midst of which there was a deep well, full of water cold as ice, into which his unfortunate victims were placed, being secured to a pillar; and when they were thoroughly saturated, and their courage cooled, they were liberated. In their bodily fear and shock they generally got rid of their complaints; this specific was, perhaps, more questionable than the modern theory of the Homœpathists, and especially the Hydropathists. Paradoxical as it sounds, the shortest way to relieve a man affected with head-ache is to attack his feet. We may here remark, that it is the nervous system which constitutes the medium of communication between the mind and the objects of *sense.* The nerves are the *media* that impart to the brain impressions made by outward objects on the senses. If we destroy the nerve which proceeds from the brain to the ear, the mind receives no sensation through that organ; it is the same with the other senses. There are discovered to be forty pair of nerves in the human system; ten originate in the brain, and thirty in the spine. Hence, various instances are on record, of the effects of excessive joy, grief, fear, anger, &c., which show the amazing powers of the human mind over the body, fatal to life.

The tongue, as much as the action of the pulse, is the index of disease. For the benefit of the uninitiated, we subjoin the following clue: A white fur on the tongue attends a fever or inflammation; yellowness on the tongue shows a disease of the liver, and is common to bilious and typhus fevers. A tongue vividly red on the tip and edges, or down the centre, or over the whole surface, arises from an inflammation of the *mucous membrane* of the stomach or bowels. A white velvety tongue exhibits mental disease. A tongue red at the tip, turning brown, is the symptom of a typhus state. But we must leave irrelevant matters, and pursue our investigations concerning the "high crimes and misdemeanors" of medical men. It is related of a certain quack, in some country town in England, that he resorted to the following expedient, for creating a little notoriety, by way of a *start.* On his arrival, he announced himself by sending the bell-man—an official of great importance in for-

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mer times—to disturb the quiet of the honest people of the place, by proclaiming the reward of fifty guineas for the recovery of his pet poodle; of course the physician who could be so lavish with his money for such a trifling purpose, could not but be a man of pre-eminence in his profession. *Millingen* records the curious fact, of two miracle-working doctors having taken London by storm, many years ago, who laid claim to the unpronounceable and most outrageous names of *Tetrachymagogon* and *Fellino Guffino Cardimo Cardimac Frames*, (!) which were plastered about the walls of the city, exciting the amazement and curiosity of the gullible multitude. Another announced himself by placards, appealing to the sympathies of the selfish, to the effect, that *he had studied thirty years by candle-light for the good of his countrymen;* which issue may possibly have been deemed a debateable point. He claimed to have been the seventh-son of a seventh-son,—and to have been exclusively possessed of sundry *certain* cures; amongst others, that of hernia.

Among the accidental circumstances to which some of the fraternity have been indebted for their first successful début, we may refer to the following case of Dr. Case, which briefly consisted in his having the lines "*within this place lives Doctor Case,*" written in large characters upon his door: he is said to have acquired a fortune by the quaint experiment:—a very capital case for him. Another disciple of Esculapius tumbled into a good practice by a fit of intoxication. Disappointed on his first arrival in London, he sought to drown his sorrows in muddy ale, at a neighboring tavern, at which place he was summoned to attend a certain countess, while under the effect of his "potations deep." The high-sounding title of this unexpected patient tended nót a little to increase the excitement under which he labored: he followed the liveried servant as steadily as he could, and was ushered in silence into a noble mansion, where her ladyship's female attendant anxiously waited to conduct him most discreetly to her mistress' room: her agitation preventing her discovering the doctor's disposition to describe imaginary circles and curves in preference to a direct course. He was introduced into a splendid bedchamber, and staggering up to the aristocratical patient, he commenced the mechanical process of feeling the pulse, etc.: but on proceeding to the table to write a prescription, his weakness betrayed him. In vain he strove to trace the salutary characters, until, wearied in his attempts, he at length threw down the pen, exclaiming, '*Drunk, 'pon honor;*' and he made the best of his way out of the house. Two days after he was not a little surprised at receiving a letter from his illustrious patient, enclosing a check for £100, and promising him the patronage of her family and friends, if he would but observe the strictest secrecy as to the condition in which he found her. The patient and her physician were much in the same predicament, but by a strange obliquity in the lady, the doctor's drunkenness was for once, and for a wonder, at a premium. It has been alledged that the physician's fee is tendered usually with reluctance, assuming it is paying for a nonentity; but as far as we can discover, there appears to be really little cause for complaint on this score. It is true, in the reign of Elizabeth, the paltry sum of only *eight pence* was paid, on a certain occasion at Bristol, for the attendance of a doctor during the entire night; but a mighty change has come o'er the spirit of the doctors' dream since then; pence having long ago been discarded for pounds, and units for hundreds. Formerly too, patients were expected not only to make liberal draughts of their cash, but also to submit to no less potent draughts of unpalateable physic. Malouin, physician to one of the French

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monarchs, it was said, was so addicted to drugging, that once having a patient—a most significant name by the way, who, having punctually swallowed all the nauseous stuff he ordered, was so delighted at seeing the long line of phials and pill-boxes cleared out, that he shook him cordially by the hand, exclaiming—"my dear sir, it really affords me pleasure to attend you, and you *deserre* to be ill!" A very frank admission, was it not? for one so disinterested. The story is not unknown to the reader, of a certain physician, who was accustomed to receive his daily fee from a rich old miser, who had it clenched in his fist when he arrived, and who turned his head away when he opened his hand for the doctor to take it. One day, on being informed that his patient had died in the morning, not in the least disconcerted, he walked up to the dead man's chamber, and finding his clenched fist extended as usual, he enacted the counterpart of the face, by extracting his guinea from the defunct, and departed. The following is a curious case of cupidity versus cure, and its consequences: Mr. Cooke, the miser of Pentonville, as he was called, was a great annoyance to gentlemen of the faculty. He used to put on ragged clothes, and go as a pauper to Mr. Saunders and other gentlemen, to have gratuitous advice for his eyes; got a letter for the dispensary, and attended there as a decayed tradesman, for several weeks, until detected. Having a wound in his leg, he employed a Mr. Pigeon, who lived nearly opposite to him, in White Lion-street, Pentonville, to cure it. "How long do you think it will be before you can cure it?" "A month." "And how much must I give you?" Mr. Pigeon, who saw the wound was not of any great importance, answered, "A guinea." "Very well," replied Cooke; "but mark this; a guinea is an immense sum of money, and when I agree upon sums of such magnitude, I go upon the system of no cure no pay; so, if I am not cured by the expiration of the month, I pay you nothing." This was agreed to. After diligent attention, the wound was so near being healed, that Cooke expressed himself satisfied, and would not let Pigeon see it any more. However, within two or three days of the month being completed, the old fellow got some sort of plaster, with cuphorbium on it, from a farrier, and made a new wound on the place where the former had been; and sending for Pigeon the last day of the month, showed him that his leg was not well, and that of course the guinea he had agreed for was forfeited. This story the old fellow used to tell of himself with great satisfaction, and call it "plucking a Pigeon." When on his death bed, he sent for several medical men; some of them would not attend; but among others who went to see him, was Mr. Aldridge, of Pentonville. At one of the interviews, he earnestly entreated Mr. Aldridge to tell him candidly how long he thought he might live. The answer was, he might probably live six days. Cooke collecting all his strength, and starting up in bed, exclaimed, "And are you not a dishonest man, a rogue, and a robber, to serve me so?" "How so?" asked Mr. Aldridge, with surprise. "Why, sir, you are no better than a pickpocket, to go to rob me of my gold, by sending in two draughts a day to a man that all your physic will not keep alive above six days! Get out of my house, and never come near me again."

But to return to our especial friends—the quacks. A modern antiquary, Goodman, has gathered up some amusing specimens of quackery in olden times, from which we make a few selections. In the reign of Henry VIII., it appears, many of the medical practitioners were mere horse-farriers. A distinguished patient, the great Lord Burghley, secretary of state to Queens Mary and Elizabeth, was addressed by one Audelay, on a certain occasion, in this wise, as we learn from documents in Her Majesty's state

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paper office: "Be of goode comfort, and plucke up a lustie, merrie hearte, and then shall you overcome all diseases: and because it pleased my good lord Admiral, lately to praise my physicke, I have written to you such medicines as I wrote unto him, which I have in my book of my wyffe's hand, *proved upon herselfe and mee both;* and if I can get anything that may do you any goode, you may be well assured it shall be a joye unto me to get it for you." "A goode medicine for weakness or consumption: take a sow-pig of nine days olde, and slaye him, and quarter him, and put him in a skillat, with a handfull of spearmint, and a handfull of red fennel, a handfull of liverwort, half a handfull of red neap, a handfull of clarge, and nine dates; cleaned, picked and pared, and a handfull of great raisins, and picke out the stones, and a quarter of an ounce of mace, and two stickes of goode cinnamon, bruised in a mortar, and distill it with a soft fire, and put it in a glass, and set it in the sun nine days, and drinke nine spoonfulls of it at once when you list"! "A compost: item—take a porpin, otherwise called an English hedge-hog, and quarter him in pieces, and put the said beast in a still, with these ingredients: item—a quart of redde wyne, a pinte of rose water, a quarter of a pound of sugar,—cinnamon and two great raisins." "If there be any manner of disease that you be aggrieved withal, I praye you send me some knowledge thereof, and I doubt not but to send you an approved remedy. Written in haste at Greenwiche, ye 9 of May, 1553, by your trewe heartie friende, JOHN of AUDELAY.

To the righte worshipful Mr. Cecil, this letter must be delivered with speede."

In Percy's "*Reliques of Ancient English Poetry*," we are informed as to what was common regarding medical lore in those days, namely, that the healing art was enacted by young princes; the practice being regarded, "as commendable to real manners, it being derived from the earliest times, among all the Gothick and Celtic nations, for women, even of the highest ranke, to exercise the arte of surgerie." Formerly, medical practitioners obtained their licenses from the Bishops of the diocese in which they resided. Burton, in his "*Anatomie of Melancholie*," notices many curious recipes and "Bookes of Physicke." One work, entitled "*The Queen's Closet Opened*," containing "divers things necessary to be knowne, collected out of sundrie olde written bookes, and broughte into one order. The several things herein contayned, may be seen in the bookes and tables following, written in the yeare of our Lorde God 1610." The work commences with the "thirty-three evil dayes" of the yeare, and a general calendar; there is a curious medley of rules about the weather, astronomical calculations and prognostications. The first book has this: "A coppye of all such medicines wherewith ye noble Countess of Oxenforde, most charitably, in her owne person, did manye greate and notable cures upon poore neighboures." The second book is entitled, "Here beginneth a true coppye of such medicines wherewith Mrs. Johan Ounsteade, daughter unto the worshipfule Mr. John Olliffe, Alderman of London, hath cured and healed manye forlorne and deadlie diseases," &c. A few extracts from the above will show the then state of medical science, as contrasted with that of the present day: "To take away frekels—take the bloude of an hare, annoynte them with it, and it will doe them away." "For a man or woman that hath lost theire speeche—take wormwood, and stampe it, and temper it with water, and strayne it, and with a spoone doe of it into theire mouthes." "For him that hath naturally a red face—take foure ounces of the kernels of peaches, and three ounces of gorde seedes, and make thereof an oyle, wherewith you

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shall annoynte his face mornynge and evenynge, this will kill and destroy all redness." "To cause hayre to grow—take the water of flower-de-luce, and washe thy heade therewithe, and it shall cause hayre to grow. Also the water of rosemary hath the same virtue; if thou wash thy heade with the same, and let it dry on agayne by itself, it causeth haire to growe if thou be balde." Possibly Mr. Clirehugh may thank us for taking up this "old established" remedy against the too common practice of father Time filching away our coveted curls, and a new "Tricopherous" may be the result. "If physic be a trade," it has been remarked, (and it is to be observed, the speculation is put hypothetically,) "it is the trade of all others, the most exactly cut out for a rogue." For what with the mongrel Latin for their dialect, which invests with a species of free-masonry all their mysterious movements and manœuvres; and their interminable variety of drugs, potions and delectable draughts, it seems almost next to an impossibility to look for indemnity against quackery and quacks. Can anything be more ludicrous than the foregoing samples of the wisdom of both practitioners and patients in the boasted days of "good Queen Bess?" Formerly, the mountebank doctor was as constant a visitor of the market-place, as the pedlar with his pack; one Dr. Bossy was the last who is said to have thus exhibited in the British metropolis. This illustrious "green horn" used to ascend a platform erected in Covent Garden, prepared for his express accommodation, in order, it is presumed, that he might obtain a brief, temporary elevation above the benighted ranks of ignorance and superstition from which he sprang. On one side was a table with a medicine chest and surgical apparatus, displayed in a most imposing array; in the centre of the platform was the horrible chair in which the devoted victim of this sapient impersonation of surgical skill was to be seated. Before the gentleman in question commenced operations, however, after laying aside his gold-laced cocked-hat and cane, his usual custom was to regale his gaping, gazing auditory, with a delicate taste of his profound erudition. In the year 1728, one Villars informed his credulous companions and the community of his day, that his uncle, who had attained to the age of nearly a century, and who was then indebted to an accident for his dismission, (for it is to be inferred from the writer he never meant to die,) had left him a certain preparation, which had the virtue of prolonging a man's life to a hundred and fifty years, if he lived soberly, and did not live "too fast." When he happened to observe the procession of a funeral, he used to shrug up his shoulders, and in a generous burst of pity, exclaim, "Ah, if the deceased had but taken my medicine, he would not have been where he is." Those who became his patients, usually paid due attention to his instructions as to regimen and diet, and for the most part enjoyed good health and attained to comparative longevity, so that the professional repute of the practitioner, and his harmless cheat, alike prospered, while his purse, as a matter of consequence, became endowed with large accessions of "the root of all evil." A certain dignitary, styled the Abbé Pones, extolled this quack, and gave him the preference to the Marischal de Villars; "the latter," says he, "kills men; the former prolongs their existence." In process of time, however, this distinguished humbug survived his popularity, for his "infallible specific" at length became betrayed, it was found to consist nine-tenths of water, from the river Seine. The medicine was inoffensive enough, possibly, but the price charged for the same was, like its vaunted efficacy, a fascinating delusion and imposture. But really, we can scarcely afford any sympathy for the vic-

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timized, when we reflect what a strange, eager proclivity there has ever been observable among mankind, and womankind too, to relish the cheat, and even to do honor to the fabricator of the fraud. A lady, who was much afflicted, and who had been attended in vain by several physicians, was induced to invite the services of an acknowledged quack, and a verification, like most of his class, of Pope's maxim, about a little learning being dangerous; he came, appealed to her pulse, when, trying to look sublimely mysterious, "well, doctor," says the piteous patient, ready for anything, "do you comprehend my case?" "Oh yes, *mem*, it is a plain case," quoth he. "Well, doctor, what is it?" "Why, madam, it is a scrutanutory case!" "Scrunatory case, doctor, pray, what in the world is that?" "It is a dropping of the nerves, *mem!*" "Dropping of the nerves, Sir?" "Yes, mem, the *nummaticals* drop down into the *pizer-inchum*, and the head goes tizer rizer, tizer rizer." "Ah, dear doctor, you have just hit my case precisely." Nothing further was of course necessary, except a mutual consent to barter for a portion of her money a liberal dose of his drugs and canine latin. "Please, sir," said a doctor's boy to an honest disciple of Esculapius, "I don't think Mr. Dosem takes his physic reg'lar." "How so?" "Because he's getting well so precious fast!" Hutchinson's clever satire in song, entitled "A Dose of Calomel," comes to our point:

"Physicians of the highest rank,
To pay their fees would need a bank,
Combine all wisdom, art and skill,
Science and sense in—*calomel.*

* * * * * *

"The man grows worse quite fast indeed!
Go, call the doctor, ride with speed;—
The doctor comes, like post with mail,
Doubling his dose of—*calomel!*

"The man in death begins to groan,
The fatal job for him is done!
He dies, alas! and sad to tell—
A sacrifice to—*calomel!*

This abominable *calomel* may be considered the dividing line between the rival systems of Allopathy and Homeopathy; whatever virtues may result from the introduction of the mineral as a medicament, there can be no doubt it has been also a fearful auxiliary of the grim monster. But we have not yet done with the quacks; and the next we want to introduce to our friends, rejoiced in the not uncommon name of Graham, who, in the year 1782, made a tremendous sensation in London. He was gifted with great fluency of speech, and indulged in towering hyperbole and bombast with which he sought to gull the wonder-loving multitude. He opened a splendid mansion in Pall-mall, which he styled the "Temple of Health." The front was ornamented with an enormous gilt sun, a statue of Hygeia, and other attractive emblems; and the suite of rooms, in the interior, was superbly furnished, and the walls decorated with mirrors, so as to confer on the place an effect like that from an enchanted palace. Here he delivered lectures on health at the extravagant price of two guineas per lecture; and the price, together with the novelty of the subjects, drew together considerable audiences of the wealthy and dissi-

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pated. He entertained a female, whom he called the goddess of health; and it was her business to deliver a concluding discourse after the doctor himself had delivered his lecture.

He hired two men of extraordinary stature, provided with enormous cocked-hats, and with showy liveries, whose business it was to distribute bills from house to house through the city. He became, therefore, an object of curiosity. When his two guinea auditors became exhausted, he dropped his lectures successively to one guinea, half-a-guinea, five shillings, and, as he said, "for the benefit of all," to half-a-crown; and, when he could no longer draw at this price, he exhibited the temple itself for one shilling, to daily crowds, for several months.

Among other whimsicalities, he pretended to have discovered the "*elixir of life*," by the taking of a quantum of which, a person might live as long as he might list. His terms for this invaluable invention, were, it is true, rather extravagant for common people—but of course, so desirable a boon ought not to be made too cheap. More than one nobleman, it is recorded, actually paid him the enormous fee of *one thousand pounds sterling!* Rather an expensive premium for the purchase of a little common sense. This wonderful discovery, however, did not last long, for the delusion soon exploded, and poor Graham, himself, soon died, after vainly practising various other mummeries, at the early age of 52 years—poor, and despised by all.

Such wretched victims of folly, sin as much against themselves, one would suppose, as against society; for they too often pay the most heavily in the end for their errors and delinquencies. Such objects are the exuberant outgrowth of the times; if the *masses* were better informed in medical lore themselves, there would be found fewer willing to be duped. Dr. Ticknor has some remarks to this effect. He says:

"In ancient times, when the people were groping their way in the darkness of ignorance and superstition, it is not to be wondered at that they should be deceived by false appearances, by mystery, magic, and incantation,— and by the various arts and devices of a cunning priesthood; but it is most truly astonishing, that, with all the light of the nineteenth century, people should be so impudently cheated, when the imposture is so easily detected. It is neither the ignorant nor the superstitious alone who are gulled by the designing; for in this country such individuals are rarely to be found—and yet there are plenty of subjects upon whom these harpies prey. And who are they? They are not ignorant in matters *not* pertaining to themselves; they are by no means superstitious, or particularly credulous on other subjects to which they give their attention. But of the structure of their own bodies, the laws which govern their actions in health and disease, and the causes which derange their operations, they have no correct idea; they have never, perhaps, seen a human skeleton, and, in all probability, ninety-nine in a hundred of the non-professional public, have never even seen a single human bone. They know not how the circulation of the blood is performed, in what vessels it runs its course, nor what will hasten or retard its celerity; they know not the difference between a muscle and a nerve—a tendon and a vein; and those who pride themselves on their extensive acquirements, daily betray the grossest ignorance when speaking of the human system. These are the persons who are the dupes of quacks; and they fall a prey to their arts, not from a general lack of information, but for a want of it in regard to that in which they are most deeply concerned—their health and comfort. Were the positively ignorant the only supporters of quacks, they would soon be driven from the field by starvation; but unfortunately for the interests of science, the universal ignorance of the human system in health and in disease, propagates a race of unprincipled empirics; and on this ignorance they grow and fatten. Encouraged by success, it matters little how gross the absurdity, or how glaring the imposture, they attempt to practice; and if they envelope their whole scheme in as deep a mystery

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as that which involved the oracles of Pythian Apollo, so much the more likely are they to become equally celebrated."

While we think of it, a word or two concerning "touching for the evil," may not be inappropriate; it is a ticklish topic, however, to touch upon, since formerly kings claimed the exclusive privilege as their prerogative. The custom took its rise with Edward the Confessor, and was continued down to the age of Dr. Samuel Johnson—who was himself "touched" by Queen Anne. During the reign of Charles II.—temp. 1664, the following advertisement was published, respecting the pretended kingly cure, &c. :—*Notice.* His sacred majesty having declared it to be his royal will and purpose to continue the healing of the people during the month of May, and then give over till Michaelmas next, I am commanded to give notice thereof, that the people may not come up to the town in the interim, and lose their labor." On the 6th of March, 1667, the king touched 133 pretended cases, and to every one a gold medal was given in connection with the sanatory touch. About the same time, Greatrex, the supposed first mesmerizer, touched a man for the cure of the consumption! People, in those days, as in our own, seem to have been afflicted with bad humors, and been very *touchy*, to account for the needed kingly intervention for the redress of their wrongs; but enough about *kingly* quacks.

The power of imagination is often no less potent in the *cure* of diseases, than in their production; and as it will not be necessary for us to refer, as we might, to instances where death has actually been superinduced by the influence of fear, we shall simply notice a solitary case of the effect of the imagination on the judgment. Says a practicing physician in Worcester, Mass. :

"In an early part of my practice I was called into a neighboring town to visit a patient. It being the middle of the day, the old gentleman of the house (being over sixty years of age) invited me to stop and dine. While at dinner he says, 'I don't know as you like my dinner.' 'Why, yes,' said I, 'I do; I like it very well; it is very good.' 'I guess,' said he, 'you don't know what you are eating.' 'Why, yes,' said I, 'it is some new corned beef.' 'Ah,' said the old gentleman, 'it is horse beef.' I replied, 'I don't believe it.' 'It is,' said he, 'I declare it is some of my old mare.' I was not much acquainted with him at that time; I looked at him, supposing him to be joking, but could not discover a muscle of his face to alter or change. I had just taken another piece on my plate, and a mouthful of the second slice in my mouth, and in fact it was horse meat, sure enough; I could taste it as plainly as my olfactory nerves could discover the scent of an old horse. The more I chewed it, the more disagreeable it tasted. I continued picking and tasting a little sauce which I could swallow, but the meat, as the negro said, would no go. I at last gave a swallow, as I do with a dose of physic. I afterwards tasted a little sauce, but took care not to put any meat in my mouth, and kept time with the family. Glad was I when dinner was over. It being cool weather, the old gentleman went to smoking and telling stories. At last he says, 'I won't leave you in the dark about your dinner. I told you we had horse meat for dinner, and so it was. I told you it was some of my old mare, and so it was, for I swapt her away for a steer, and that was some of her beef.'"

The *nostrums* of quacks owe, doubtless, three-fourths of their success, and that is not little, to the charm of the patients' *faith;* but it is difficult to ascertain what proportion of them lose their lives with their disease. It is stated that the late Lord Gardenstone, himself a valetudinarian, took the pains to inquire for those persons, who had actually attested marvellous cures, and found that more than two-thirds of the number died very shortly *after they had been cured.* Sir Robert Wal-

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pole, and Lord Bolingbroke, with many others that might be named, were among the victims of these universal cure-mongers. The days of Charms and Amulets are past, and in their stead we have a plentiful supply of patent pills and plasters. A physician, on a certain occasion, prescribed a blister on the breast of an Irishman, whom he was attending. "I beg your worship's pardon," said Pat, "but I'm sure it's of no use—it wouldn't stay on my stomach a minute."

(To be Continued.)

POPULAR PORTRAITS WITH PEN AND PENCIL.

HON. JOSHUA A. LOWELL.

History and true philosophy, when carefully examined, will be found intimately connected together. The principles and doctrines of the one can be safe and valuable only in proportion as they are based upon, and deduced from, the facts of the other. Nations, as well as individuals, have been in all past time, and must forever continue to be, guided mainly by the light of *experience*. Even this solitary light may sometimes be faint and glimmering! yet, such as it is, it by necessity dawns from the *past*, illuminates the *present*, and casts its cheering beams forward into the dark and undiscovered regions of the *future*. Will it be objected, that the history of past nations furnishes little else than a record that they once existed; and long since ceased to be? and that, therefore, it *fails* to interest *us* who are now engaged in the tiresome "bivouac of life;" that it excites in us no strong desire, nor instructs us how to become "heroes in the strife?" This objection is indeed too true; and it results from the fact that we are apt to *isolate* the present from the past, and to look upon the teachings of history as we do upon the old *Mythological Fables*, or upon some ascetic precept gravely uttered, but illustrated by no example. Here, then, may be seen the superiority of biography over history. The facts of the latter are too often but dimly seen, and then appear disconnected and alone; its results seem unfounded, and at variance with their causes; and its examples monstrous, or too impracticable for imitation! It thus becomes the ivory gate, through which "*falsa ad coelum mittunt insomnia Manes.*" But, in the former, and especially in the biography of persons still living, *motive* and *action*, *cause* and *effect*, are all placed in near proximity, and their connections with each other seem evident and natural. The teachings it gives are to the point—plain, practical. It discourses of men in their individual capacities, and holds up to view for *individual* imitation, such examples of excellence as may be imitated and equalled, or even excelled, pointing out at the same time, to all who are desirous of learning, the steps by which others have ascended to the temple of fame.

But it is only in a country like our own, where there are no titled, no proud nor privileged nobility; where the government is administered on republi-

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can principles, and for the benefit of the whole people; where the highest posts of honor and trust are open to all, and where *merit alone* lays claim to distinction and honor, that the biography of distinguished individuals can be interesting and useful to the people in an eminent degree; and it is, therefore, with a view not only of interesting some of the readers of the Democratic Review, but also of benefiting the young men of our country, that we now present a short biographical sketch of the Hon. Joshua A. Lowell, late representative in Congress from Maine.

The ancestors of Mr. L. emigrated from Bristol, England, and settled in Newbury, Mass., in 1639. Their names were Richard and John Lowell, brothers, and Percival Lowell, their nephew; and it is believed, that from these three all those bearing the name in this country originated. Mr. L.'s grandfather, Reuben Lowell, who, in 1755, at the age of 18, enlisted with Col. Moses Titcomb, and took part in the celebrated expedition against the French and Indians, at Crown Point, was one of five brothers born in Newbury, two of whom remained in Massachusetts, and three removed to the district of Maine. Several of the descendants of those who remained in Massachusetts, were educated at Harvard College, and became distinguished in the pulpit and at the bar. Two had the honor of LL.D. conferred on them by that institution. One was elected by Congress in 1782, a Judge of the U. S. Court of Appeals, under the Articles of Confederation, and was subsequently appointed Judge of the U. S. District Court, under the Constitution, which office he held until near the time of his decease. He was succeeded by Judge Davis, in 1801, who pronounced his predecessor "an ornament of his profession, and the delight of every friend and admirer of virtue, genius and intelligence." One was a clergyman in Newbury, another in Boston; and the Lowell Institute, and the city of Lowell, will remain lasting monuments of the learning, science and munificence of those who bear the name. Of the three brothers who removed to the district of Maine, one settled in Windham, one in Bath or Wiscasset, and one, Reuben, in "Sandy River Plantation," now Farmington, in which town, and the adjoining one, Chesterville, he resided till his decease in 1827, aged about 90. He had five sons, viz., Rosamus, Joshua B., Reuben, Samuel and John; the last four of whom settled in Farmington and Chesterville, where they became respectable, intelligent and independent farmers, and reared large families of children, who are now settled in different parts of the country. Rosamus, the eldest, removed to Thomaston about the year 1784, where he purchased a tract of land, on which he made a farm, where he continued to reside until his decease in 1829, aged 69. He was universally esteemed and respected by all who knew him for his integrity, benevolence and generosity. He was the father of twelve children, three of whom died in infancy. Of the survivors, eight sons and one daughter, Reuben studied divinity, and shortly after entering on his ministerial labors, died in Amesbury, Mass., in 1812. Rosamus K. was fitted for the ministry, and by dilligent application and hard study, became a thorough and excellent scholar, but was induced by feeble health to abandon his literary pursuits, and engage in trade. He died in Farmington, in 1837. Hannah, (whose husband, Capt. Ebenezer Childs, was an officer in the war of 1812,) died in 1834. Charles is a lawyer, in the practice of his profession in Ellsworth, Me. Archibald C. settled in Sheffield, N. B., and engaged in the timber and lumber trade, where he died in 1841. Josiah I. is a clergyman in Onondaga county, N. Y. Joshua A. is a lawyer in East Machias, Me. Henry C. is a lawyer in Thomaston, Me., and Simeon B. is a clergyman in Whitneyville, Me. They are all industrious, ener-

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getic and successful in their professions; but our present business is to give a sketch of him whose name is placed at the head of this article.

Joshua A. Lowell was born in Thomaston, Me., March 20, 1801, and is, therefore, at the present time, 47 years of age. He lived at home engaged in agriculture, with his brothers, on his father's farm, until the fall of 1819. During that period, he had no advantages for obtaining an education, except the privilege of attending a town school three months in the year; but he always employed his leisure hours in study and self-instruction. When 18 years of age, he "bought his time" of his father, and with his pack on his back, went out into the world to seek his fortune. From 1819 to 1822, he was engaged principally in teaching school and in private study; during which time he obtained a very accurate knowledge of the principal English studies, the higher branches of mathematics, and the Latin and Greek languages.

In the spring of 1822, he commenced the study of law in the office of Hon. Nathan Cutler, of Farmington, Me., and continued the study of that science in the offices of Hon. John Ruggles, of Thomaston, Me., Hon. John Dickinson, of East Machias, Me, and Hon. Isaac McConihe, of Troy, N. Y., until his admission as an Attorney of the C. C. Pleas at the September term at Machias, Me., 1826. At the June term S. J. Court at Machias, 1829, he was admitted an Attorney of that court. In 1831 he was admitted a Counsellor of that court. At the May term, 1836, of the U. S. Circuit Court at Portland, Me., he was admitted an attorney and counsellor of that court; and in January, 1840, he was admitted an Attorney and Counsellor of the Supreme Court of the United States at Washington.

After his admission as an attorney in 1826, he settled in East Machias, a beautiful and flourishing village on the East Machias River, in the county of Washington, Me., where he continued to reside.

Mr. Lowell has now been engaged in the practice of his profession for a period of twenty-two years, during which time he has established a character for industry, integrity and ability, highly creditable to himself and the bar, of which he is a member. Although residing in the extreme eastern section of the state, Mr. L. has occasionally had the honor of being employed against some of the most distinguished lawyers in the state. In his professional contests with those men, he has displayed a clearness of perception, a depth of law learning, and a power of argument, which have commanded the respect of all who heard him. Having been accustomed from his youth to rely on his own energies and on his own efforts for success, possessing one of the best law libraries in the state, with a well disciplined mind, a retentive memory, and habits of untiring industry, he could not fail to attain a high standing at the bar; and perhaps it is not too much to say, that among his professional brethren of his own age, he has *few equals* and *no superior* in the state.

Mr. L.'s professional pursuits have been occasionally interrupted by the calls of his political friends, who have from time to time elected him a representative in the state and national legislatures.

At the September election, in 1831, he was chosen by the Democratic electors of the East Machias District, a representative in the state legislature. He took his seat at the commencement of the session, in January, 1832, that being the first session at Augusta, the present seat of government. He was re-elected, and served during the following year. He was again elected for 1835, and again for 1837.

During the session of 1833, he introduced and advocated a bill to secure to witnesses freedom of opinion in matters of religion. The report on that subject, drawn up by Mr. L., was extensively circulated, and greatly

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commended by the public press. At the same session he took a conspicuous part in the debate on the resolutions in relation to the position of South Carolina. In that debate, he illustrated the Democratic doctrine of State-rights, and exposed the injustice and inequality of the protective tariff system, and the evils of the Federal doctrine of consolidation.

In the session of 1835, the Hon. John Holmes, who had been for many years a member of the Senate of the United States, became a representative in the legislature of his own state. The Democratic members of a preceding legislature, Mr. L. being one of them, had passed certain resolutions of *instruction* to the senators from that state, which gave great offence to Mr. Holmes, and were the exciting cause of his election to the legislature after the expiration of his term in the senate, and of his subsequent course in the legislature. On taking his seat, he immediately introduced certain *orders*, condemnatory of the administration in its action upon the north-eastern boundary question, which were printed, and a day assigned for their consideration. The people came from all parts of Maine, and from many parts of New-England, to listen to the powerful eloquence and brilliant wit of one whose fame was at least co-extensive with the Union. He denounced the national and state administrations in no measured terms, and received great applause from his political friends. Mr. Lowell replied to Mr. H. in a speech of much power and great severity, in which he not only successfully defended the administration, but carried the war into the enemy's country, by attacking and exposing his assailant. It has been remarked that this was the only time Mr. H. was ever known to take offence at any thing said in debate, or to retain any unkind feelings for his antagonist after the debate had been closed.

He, however, became reconciled to Mr. L., when they met in the legislature of 1837, and they ever after continued on terms of friendship. They were both appointed members of the committee on the north-east boundary question. Messrs. Holmes, Lowell and Hon. Samuel P. Benson, of Winthrop, were appointed a sub-committee, to prepare a report and resolutions on the subject, and they performed that service in a manner creditable to themselves and to the state.

At the same session, Mr. L. advocated the constitutional right of citizens residing in plantations or unincorporated places within a representative district, to vote for state officers, in any adjoining town within the district. He also advocated the bill for the admission, on examination, of all persons of good moral character and suitable literary, scientific and legal attainments, to practice as attorneys and counsellors at law, without regard to the manner in which they may have been educated, or the term of years they may have studied. He also advocated an amendment of the constitution, so as to limit the tenure of judicial officers. He was at all times a zealous advocate for the protection and settlement of our public domain, for the education of the youth of the country, and the improvement of our common schools and other institutions of learning.

But we now find Mr. L. occupying a broader and more extensive field of usefulness.

In July, 1838, he was nominated as the Democratic candidate for congress, in the Hancock and Washington district, and though opposed with great violence and the most base and wicked means, he was elected in the September following, over the Hon. Joseph C. Noyes, then a member and candidate for re-election, by about 400 majority.

Mr. Lowell took his seat in congress at the commencement of the first session of the 26th Congress, in December, 1839, and entered on his official duties with the determination to discharge them with fidelity, and with a

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single eye to the public good. He had been nominated and elected without bargain, intrigue or solicitation, and was therefore free to act in accordance with the dictates of patriotism and judgment.

The duties of M. C. from this district are very complicated, laborious and perplexing. They were *peculiarly* so during the session of the 26th Congress.

The people of Hancock and Washington are more extensively engaged in the fisheries than any other district in the United States. The protection of the rights and interests of that portion of our fellow-citizens, therefore, required and received much of his attention. At an early period in the session, Mr. L. introduced a resolution, calling on the President and heads of departments, to communicate to the House all the information in their possession in relation to the seizure and condemnation of the American fishing vessels by the British authorities. The call was promptly responded to by the Executive—the information communicated to the House—and on Mr. L.'s motion, referred to the Committee on Foreign Affairs, and printed. Through the influence of Mr. L., the subject was thoroughly investigated, and one of our sloops-of-war, (the Preble,) stationed by the President on the eastern coast for the protection of our fishing vessels. The presence of an American armed ship on the fishing banks, effectually restrained the British authorities in their acts of violence and outrage.

His efforts were also unceasing in behalf of our seamen, our ship builders and ship owners.

Among Mr. L.'s other labors, the surviving officers and soldiers of the Revolution, the widows of deceased officers and soldiers of the Revolution, and the wounded and invalid officers and soldiers of the last war, came in for their share; and although he failed of obtaining the desired relief in some instances, yet many individuals within his district, and some of them poor, aged and infirm *widows*, can, and do bear grateful testimony to his successful efforts in their behalf.

Mr. Lowell being a young man, and a new member, did not participate in the debates which took place in Congress during the first five months. He made his first speech in Congress in May, 1840, on the Independent Treasury bill, "that great measure of safety and deliverance," in reply to Mr. Cushing, of Mass., who had opened the debate on the part of the opposition, and occupied the greater part of three days. Mr. Lowell followed, opening the debate on the democratic side, and in reply to Mr. C., in a speech which occupied four hours in the delivery. It was published in the principal democratic journals and in pamphlet form, and at once raised its author to a high rank, as a ready and able debator. Among the communications bestowed upon it by the public press, are the following. The Globe said "it fully justified the strong expressions of approbation with which it was met by the democratic members of the House on its delivery." The New-York Evening Post said it displayed "all the true qualities of the statesman." And the Augusta Age and Bangor Democrat pronounced it "strong in the logic of facts and figures—enlivened by interesting and happy illustrations—full of the right doctrines, rightly expressed—and excellent, both in matter and manner." We have only space for the following brief extracts. He thus describes the suspension of specie payments, which took place in May, 1837:

"The Bank of England, the United States Bank, and the state banks, having swelled the expansion of credits and circulation until they could not be inflated any further, it became necessary to commence the work of contraction. As the Bank of England was the first to expand, so it was the first to contract the circulation. This it commenced on the 7th of March, 1837, and within nine months reduced

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its loans £7,852,000. It increased its specie in the meantime £4,124,000. This amount of specie being withdrawn from circulation, the contraction amounted to near £12,000,000.

"The shock was soon felt in this country, and was followed by an immediate suspension on the part of the United States Bank and the state banks throughout the Union.

"With about thirty-eight millions of specie in their vaults, one hundred and forty-nine millions of bank notes in circulation, one hundred and twenty-seven millions of deposites, near forty millions of which was the property of the government, they had increased their loans and discounts to five hundred and twenty-five millions of dollars. And in this situation, at peace with the world, aided and encouraged by the government, and in a time of universal prosperity, they closed their doors against the people and the government of the people's choice, and set all law and authority at defiance! They thus deliberately separated themselves from the government and the people—dissolved the connection by their own voluntary act—and, but for the expedient of issuing treasury notes, would literally have stopped the wheels of government.

"The question now arises, shall this connection be renewed, or the separation continue, and be made perpetual by law? It is a great question. Shall this be a government of the banks or a government of the people? Are the American people capable of self-government? Shall we be governed by men—by free, intelligent, reasonable, intellectual beings, who have souls to save—chosen by the people, from among the people, to transact the people's business, and accountable to the people, or by corporations, unknown to the constitution, possessing neither soul nor body, and being under no responsibility or accountability to any power, here or elsewhere? For myself and my constituents, I cannot hesitate or doubt as to the answer. Let the separation continue, and be made perpetual, by all constitutional measures."

The whig orators in the House had denounced the policy and measures of the administration in strong terms of condemnation. They said "the country was in an unexampled state of depression; that it was bleeding at every pore; that every limb of almost every man, woman and child in the land was paralyzed by oppression, and that the nation was crying out for relief."

In answer to these panic speeches which were made in Congress, and circulated over the entire country, Mr. Lowell said,

"The shrill cry of distress which so often salutes our ear, comes not from the poor, the destitute, and the suffering. It comes from those gentlemen who are connected with, and have the control of, the nine hundred banks and branches in this country; from bank presidents, bank directors, and bank dependants, and their political associates, who desire to overthrow the administration. It comes from the whig merchants in Boston, New-York, Philadelphia, and other large cities, who ride in their carriages, drawn by gay horses, surrounded by rich equipage, who live in marble palaces, furnished in the most splendid and magnificent style, who fare sumptuously every day, sitting down at tables which groan under the weight of luxuries and the dainties of the season; and while partaking of rich viands, and sipping old and choice wines, they will mourn over the hardness of the times, the pressure in the money market, the distress which prevails in the country, and the folly, extravagance, corruption and madness of the present administration.

"Such men cannot be pleased, while the government is administered on democratic principles. Though the administration were as pure as the angels in Heaven, it could not command their approbation. They could not be saisfied. Like the horse leech's daughters, they would cry, 'give, give,' and never say enough.

"In the judgment of a certain party, this country has been ruined many times within the last forty years. They considered it ruined, and the institutions of religions overthrown, when Thomas Jefferson was elected President—ruined again, when James Madison was elected—ruined when the embargo, non-intercourse,

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and non-importation acts were passed—ruined when war was declared against Great Britain for the protection of our rights on the high seas—ruined when General Jackson was elected President—when he vetoed the bill to re-charter the United States Bank—again when the deposites were removed—when the specie circular was issued—when Mr. Van Buren was elected President—and is about to be ruined again, by the passage of the bill now under consideration; and notwithstanding it has been so frequently ruined, I most seriously and solemnly believe it is still the best country on the globe, with the best people, and the best government. With all this distress and ruin, we have gone on from prospering to prosper—enlarged our borders until they extend from the Canadas to the Gulf of Mexico, and from the Atlantic to the Pacific—have increased in population and wealth—erected institutions of learning and religion throughout the land—and established a gallant navy, which commands the respect and admiration of the world.

"We have increased our power by land and water, until our commerce whitens every ocean, and our star-spangled banner waves triumphant in every clime."

Mr. Cushing had alluded to England—to her power and greatness, and the wisdom of her policy. Mr. Lowell replied to that allusion near the close of his speech as follows:

"Shall our eyes be dazzled by British splendor, and blinded by British glory, to imitate her policy, which, to say nothing of poor, oppressed, and ruined Ireland, has reduced nearly one half of the people of England and Wales to poverty and wretchedness; which has spread pauperism, disease and crime throughout her dominions; and which has reduced one hundred and thirty millions of people in India from freedom, and the ownership of fee simple estates, to poverty, servitude, and death by starvation, at the rate of half a million per year? Are such the fruits of her paper system?

"If such are the fruits of this paper money, or bank note system, in England, we envy not her wealth, her glory, or her splendor. We boast not of *such* evidences of national greatness. But we may well indulge a just pride, that, while we do not possess her power, her wealth, her splendor, we are at least free from the wretchedness and misery which pervade her dominions; and we may content ourselves with the reflection that there is no monument of national greatness *so permanent, so honorable, so glorious*, as a *well-fed, well-clothed, well-lodged, well-educated, and happy* PEOPLE."

Mr. L. had, during the time he had been in Congress, had favorable opportunities of becoming intimately acquainted with Mr. Van Buren, and had formed an exalted estimate of his talents and patriotism. Thoroughly imbued with the principles of democracy, cordially approving the measures of the administration, and warmly attached to Mr. Van Buren, personally, on account of his manly virtues and gentlemanly deportment, he devoted several months immediately preceding the presidential election in 1840, to travelling through the eastern section of the state, and addressing the people in favor of his re-election.

In November of that year, Mr. L. was re-elected to the House, having been defeated on the first trial in September, in a district so equally divided, that his immediate predecessor was a Whig, and this too, during the "hard-cider" and "log-cabin" excitement of 1840, and at an election held on the day of the presidential election; he was, if we mistake not, the only Democratic candidate for Congress, in a doubtful district, who obtained a re-election that year in any part of the United States.

The whig party having obtained a majority in the state legislature, in February, 1841, passed certain resolutions, entitled "Resolves in relation to the currency," setting forth the whig doctrines of that day, on the independent treasury law, a national bank, protective tariff, and a distribution of the proceeds of the public lands, and concluded by *requesting* "our senators and representatives in Congress to vote for any bill or proposition

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now before Congress, calculated to carry into effect the principles contained in the foregoing resolutions, and to introduce and support such measures as shall accomplish the same object, if not now before Congress."

A copy of the resolutions was transmitted by the governor to each of the senators and representatives from Maine; and on the 27th of the same month, Mr. L. addressed a letter to the legislature, acknowledging the receipt of the resolves, and assigning his *reasons* for not complying with their request. A copy was enclosed to the President of the Senate, and another to the Speaker of the House. The letter was received, and *read* in each branch of the legislature, but they refused to *print* it!

The New-Bedford Register, in speaking of the resolutions and the answer, among other things, said,

"The letter of Mr. Lowell, though highly respectful in its language and tone, is a scorching production, and besides utterly demolishing the positions of the legislature, must have called up before the minds of the Federalists some reminiscences of a character rather unpleasant. The feds., as might have been expected, refused to print the letter, though a state paper to all intents and purposes; and we do not much wonder that they did. Men, in their sober senses, are not fond of cutting their own throats."

One of the resolutions denounced the independent treasury system as "*against the genius of our free institutions.*" The following is a brief extract from his letter, in answer to it:

"Nor can I agree with you that the independent treasury system is 'against the genius of our free institutions;' but, on the contrary, while I consider the proposed *substitute* against the genius of our free institutions, and wholly unwarranted by the constitution, I am clearly of opinion that the independent treasury system is in strict accordance with 'the genius of our free institutions.'

"The genius of our free institutions consist in the principles of *liberty, equality* and *justice:* and in the *virtue* and *intelligence of the people*, and their *capacity for self-government.* In what respect is the independent treasury system opposed to those principles and those qualities? Does it deprive any man of his lawful and constitutional freedom? Does it subject one man or one class of men to duties, burdens and liabilities from which others are exempt? Does it confer favors or privileges on one man or set of men which it withholds from others? Does it do injustice to any, or withhold justice from any portion of our fellow-citizens? Is not the system founded on the integrity, the virtue and the intelligence of the people, and their capacity for self-government? It is based on the principle that it is better to be governed by MEN, by *free, intelligent, reasonable, intellectual beings*, who *have souls to save*, who are *chosen by the people, from among the people, to transact the people's business*, and *accountable to the people and to the laws of the country, than by* CORPORATIONS *unknown to the constitution*, possessing *neither soul nor body*, and being under *no responsibility* or *accountability* to any power here or elsewhere. Such being my views of the independent treasury system, and the *substitute* which you propose for it, I most respectfully dissent from the views you have expressed in relation to them."

At the time Lord Ashburton came to this country, in 1842, as special minister from Great Britain, Mr. Lowell obtained information, satisfactory to himself, that a system of measures had been concerted and put in operation, for the purpose of suppressing the true voice of the people of Maine, and manufacturing a public opinion favorable to a surrender to Great Britain of a large portion of the territory of the state—that a part of the machinery was to be brought to bear on the state legislature and the commissioners of Maine—a part on the senators and representatives in Congress—and that the tone of the public press in Maine was to be so far *corrected* as to pacify the people, and induce them to yield a large portion of their territory.

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In this state of things, Mr. Lowell declined the honor of an introduction to his lordship, until he should have had an opportunity to make a speech on our relations with Great Britain. He improved the opportunity soon after afforded in the debate on the army appropriation bill, in the House of Representatives, May 30, 1842, in a speech of great power, in behalf of asserting and maintaining our just rights at all hazards, and against yielding to the unfounded claims and unjust pretensions of Great Britain. It was highly complimented by several of the most distinguished members of Congress, was printed in pamphlet form, and favorably noticed by the Globe, the Spectator, the Index and other leading democratic journals; but his arguments and warnings were unavailing against the machinery which had been put in operation to dismember the state, and to sacrifice a portion of our territory for the gratification of British cupidity.

Mr. L. next addressed the House on the subject of our commercial relations with Great Britain, in a speech upon the following resolution, reported by the Committee on Foreign Affairs, viz.:

Resolved, That the President of the United States be, and he is hereby requested to enter into negotiations with the British Government, for the purpose of effecting a permanent, equitable, and just conventional arrangement of the commerce between the United States and the British Colonies in America.

In this speech he advocated the principles of *free trade*, on terms of *equality* and *reciprocity*—successfully defended Gen. Jackson for entering into the arrangement of 1830, in relation to the colonial trade—and exposed the various violations on the part of the British authorities of the spirit, true intent and meaning of the arrangement. Like his other speeches, it was "strong in the logic of facts and figures"—contained a vast fund of useful information on the subject—and was highly commended at the time, as evincing a research and ability both creditable to himself and his constituents.

It is worthy of remark, that during five sessions of Congress, commencing in December, 1839, and ending in March, 1843, Mr. Lowell, although a lawyer by profession, and accustomed to speaking in public, made but three regular speeches; and it will be remembered that they were all on subjects of *great national importance*. He seldom addressed the House, and never, except from a sense of duty to his constituents and the country; but he always commanded the attention and respect of those who heard him, and proved himself to be master of the subject under consideration.

On the 4th of Jan., 1843, Mr. L. addressed a letter to his constituents, from his seat in the House, thanking them for their kind and generous support at the preceding elections, expressing undiminished confidence in the principles and measures of the democratic party, and declining the honor of a re-nomination. On this occasion the Globe, and other democratic journals, after speaking in high terms of Mr. L., expressed strong feelings of regret at "the retirement of such a man from the councils of the nation."

In the spring of 1843, Mr. L. retired from the national legislature, and resumed the practice of his profession, a practice always laborious and extensive, and now rendered more so by a more extended reputation as a lawyer and an orator.

Mr. Lowell was strongly in favor of the nomination of Mr. Van Buren, by the National Convention of May, 1844. He considered him better qualified for that high office than any other man; that he was entitled to

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the nomination, because he was defeated in 1840 by a suppression of the true voice of the people, and by base and wicked means. He considered it due to the man for his talents and virtues; due to the democratic party, a large majority of whom were in his favor; due to the constitution, for the preservation of which he had labored with so much constancy and ability; and due to the country, which he had served with a single eye to its prosperity and happiness, that he should be again nominated and elected to the presidency.

Yet when the result of the Convention was known, Mr. L. did not hesitate to yield his own judgment and preference for the good of the democratic cause, and cordially supported the nominee of that Convention. During the presidential contest which ensued, he visited nearly all parts of Eastern Maine, travelling at his own expense, from forty to fifty miles per day, and addressing the people almost daily for several months. He impressed on the people, wherever he went, the importance of a constant, vigorous and manly support of democratic principles, and of electing men to office, who would administer the government in accordance with the provisions of the Constitution. The gratification which the success of those principles afforded him, was the only compensation which he received or desired, for the services rendered and the expenses incurred.

Nominated by acclamation at the great democratic convention and mass meeting of that year in Cherryfield, as a candidate for Elector of President and Vice-President, Mr. L. had the honor of receiving at the election *a greater number of votes* than any other condidate in the state.

During the following year the Oregon question assumed a very important and interesting aspect, which excited the anxiety of our greatest statesmen. Mr. L. being fully convinced of the soundness of our title to the territory, prepared a lecture on that subject, which he delivered before the Lyceum in the city of Bangor, Dec. 30, 1845. It was immediately after published in the Bangor Democrat, the editor of which journal very justly remarked, that "it contained more information on the subject than any other one paper yet published; that it deserved a wide circulation among the people; and that it was an able and interesting production, highly creditable to its author." The lecture occupied twelve columns of that paper.

The following is his statement of the American title, and the pretensions of the British Government:

"Here, then, are the three branches by which we claim title to the Oregon.

"First. In our own right, under the discovery of the Columbia by Capt. Gray, in 1792, and the exploration of the river by Lewis and Clark, in 1805 and 1806.

"Second. In right of France, as a part of the Louisiana Territory, under the treaty of 1803.

"Third. In right of Spain, as the first to discover the bay, into which the Columbia flows, and the principal capes and straits, from Cape Mendocino to latitude 55 degrees north, under the Florida treaty of 1819.

"These titles, either of which is valid and conclusive against Great Britain, when united, form, in accordance with those laws, customs, usages and principles, heretofore considered obligatory among civilized nations, *a most perfect and indisputable title* to the jurisdiction of that country—a title so clear and unquestionable as to preclude the possibility, that it can be successfully controverted by any nation upon earth, on any principle of law, justice or equity.

"Great Britain first doubted our title, and set up some pretensions of her own right, in 1818, immediately after the restoration of the settlement to our own Government under the first article of the treaty of Ghent!

"Her plenipotentiaries first claimed title by virtue of the discoveries of Sir Francis Drake, in 1579. To which we answer, that Drake was a *pirate*, sailing without authority, and committing depredations on the Spanish settlements; that

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Oxenham, a subordinate officer, who had ventured to imitate his master, was taken by the Spaniards, and hanged; that his punishment was neither unexpected or censured in England, as severe—and that Spanish navigators had, in 1543, thirty-six years before, examined all the coast which was visited by Drake. They next contended that they had a title, by virtue of Capt. Cooke's discoveries in 1778, and Lieut. Meares' voyage to Nootka in 1788. To which we answer, that Spanish navigators had discovered and explored the whole coast in 1774 and 1775; that Meares sought in vain to find the Columbia river, and had named the cape north of its mouth, 'Cape Disappointment,' and the bay itself, 'Deception Bay,' in token of his failure to find the object of his search. They next claimed title by virtue of the discovery of the river by Capt. Vancouver, in 1792. To which we answer, that the river had already been discovered and navigated by Capt. Gray; that Vancouver and Broughton received their information from Gray; and prove by the journal of Vancouver's voyage, vol. 2d, pages 41, 68, 388, 393, and 395, that he was entirely ignorant of the existence of the river; that it was first discovered by Capt. Gray; that he doubted the information furnished by Gray, until he had himself visited it, by means of that information, and the *charts* made by Capt. Gray, copies of which Capt. Vancouver procured at Nootka Sound.

"Failing thus to establish any title by discovery from the ocean, they pretend that Alexander Mackenzie had discovered the Columbia from the interior in 1792. This was refuted by proving that it was the Tacoutchee or Frazers' river, and not the Columbia, which was visited by Mackenzie, and that he did not cross the Rocky Mountains until May, 1793, a year after the river was discovered and navigated by Capt. Gray. They then contended that the Columbia was first explored from the interior, by Mr. Thompson, an agent of the Northwest Company, prior to, or at the same time with Lewis and Clarke. This was refuted by showing that Lewis and Clarke reached the Pacific, after exploring the Columbia from one of its sources in the Rocky Mountains, in November, 1805; whereas the party to which Mr. Thompson was attached, did not enter the territory drained by the Columbia until 1811, six years afterwards, at which time they found the citizens of the United States already established at Astoria."

The British plenipotentiaries having been driven from all their other pretensions of title to the territory, as a last resort, set up the claim of a right of *joint occupancy* under the Nootka Sound Convention of 1790, to which they referred as the RECORD, where their rights were "*recorded* and *defined*."

Mr. L. examined the Convention, article by article, and proved most conclusively that there was not a sentence in it, which, by a fair construction, could give Great Britain any claim to the *sovereignty* of the country—that it amounted only to the right to *trade* with the natives on the coast "*north of Nootka Sound*"—that, although it granted British subjects a right to participate in the whale fishery, it expressly prohibited them from navigating or carrying on their fisheries within the space of ten sea leagues from any part of the coast then occupied by Spain—and that the provisions of the Convention were *temporary* in their nature, and dissolved by the war which soon after ensued between the two countries.

He supported himself in these positions by reference to British historians of acknowledged authority, showing, beyond all controversy, that such was the construction put upon the Convention by British statesmen, both in and out of Parliament, at the time of its execution; that the ministry were denounced by the opposition for the conclusion of a treaty by which they gained so little and lost so much; and that it was not pretended by the ministry at the time that they had even secured the right to form settlements for the purpose of *trade* with the natives, except at the *north of Nootka Sound*, or that the stipulations of the Convention had any regard to the *sovereignty of the country*.

The following is the conclusion of his lecture:

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"Finally, the question returns, what ought our government to do? what measures ought we to adopt in relation to the territory?

"Let the United States *annul* and *abrogate* the agreement for joint occupancy without any delay, by giving the twelve months' notice required by the Convention of 1827, and provide immediately for extending the operation of our laws, and spreading the protecting folds of our national banner over our citizens in that territory. Let this be done *promptly and effectually*, and thousands upon thousands of able bodied American citizens will hasten to settle in the country, and will rally around the American standard when once raised there, prepared to defend the national rights and honor.

"Let our government speak in manly and decided tones to Great Britain—and in the language of the venerable American statesman, now no more, 'ask nothing that is not clearly right, and submit to nothing that is wrong.' Tell her our citizens are MEN, 'who their *duties* know, but know their *rights*, and knowing *dare maintain*.' Tell her we desire peace with all nations, and will cultivate and strive to preserve it by all just and honorable means, but that we will maintain our national rights at all hazards. Such should be the language addressed to her, and that language should be followed up by corresponding *action*, and by the necessary *measures* for the maintenance of our rights.

"Such a course, so far from involving the country in war, is the surest way to preserve peace; and the history of nations, as well as the experience of individuals, will support me in that assertion. While the party, who asserts his rights in a civil and manly way, and uses the necessary means to maintain them, will always be respected and seldom assailed—he who suffers himself to be insulted, and his rights invaded with impunity, will be constantly exposed to injury and insult.

"But should war unfortunately grow out of this question, Great Britain must wage it against us. It must be an *aggressive* and an *unjust* war on her part—a war for the support of an unfounded claim—a war against a people speaking her own language, and nearly allied to her by birth—a war against a people whose friendship is of immense value to her, and whose courage and power place them among the first nations of the earth; while the United States, on their part, standing on the broad principles of truth and justice, asking nothing that is not clearly right, will be engaged in defending the integrity of the Empire. In such a contest our people would be united, and if united, could not fail to be successful.

"'Thrice is he armed who hath his quarrel just.'

"While, therefore, we should deprecate the evils of war, and cultivate peace and a good understanding with all nations, we ought never to forget, that there is no greater calamity which can befall any people, than that of *national degradation and disgrace*."

Mr. L. is not only a lawyer and a statesman, but also a scientific and practical *farmer*. He is ardently attached to agricultural pursuits, and devotes all his leisure time to the cultivation of his farm.

We have thus followed Mr. Lowell from his parental home and the student's garret, the school-room, the lawyer's office, the court house, and to the halls of legislation, of both our state and national governments. We have found him the artificer of his own fortune, self-instructed, self-disciplined, unaided by rich friends, sustaining himself by his own industry, and relying on his own energies for success. Yet he has ever proved equal to the task before him, and competent and faithful in discharging the duties of every trust which has been committed to him. Although uniformly courteous in his deportment, he is not one of those who *truckle* to men in power, or "bend the pliant hinges of the knee where thrift may follow fawning." He has, we believe, never been the recipient of executive patronage, although possessing talents and a scope of intellect which qualify him for any place within the executive gift; but he has obtained a strong hold on the affections of the people, who have always hitherto given him their cordial support. He has been faithful to them—they will be true to him.

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FINANCIAL AND COMMERCIAL REVIEW.

A MATERIAL change has taken place during the month in the aspect of financial affairs, as influenced by the state of our political relations with Mexico. The sudden appearance of a treaty of peace, of doubtful origin, through an unauthorized negotiator, and its ratification by the Senate, is an anomaly in the history of diplomacy. Yet, as it holds out the prospect of a peace which may define the limits of the national debt, and greatly curtail those government demands for money, which were beginning to be onerous, it had a very beneficial effect upon financial affairs. Should Mexican faith prove more reliable on this occasion than ever before, the state of the national finances will be in the highest degree prosperous. The guarantee that Mexico may keep faith, lies simply in the fact that the United States have agreed to pay $15,000,000, in annual instalments of $3,000,000 each, a most wise provision, as how strong soever may be the elements of revolution remaining in that anarchial country, the government that may exercise power, will, for four years at least, have an all-powerful interest in keeping terms with the United States. Including the money so to be paid, together with the claims of American citizens on Mexico, assumed by the United States by the treaty, and the arrearages of war expenditure, bringing home troops, &c., the debt of $45,650,659, which existed December 1, 1847, will probably swell to $75,000,000, making $57,000,000 as the cost of the Mexican war, resulting in the acquisition of a territory equal to one-third of the whole of Mexico. If we compare these results with those of the Florida war, which lasted seven years, at an expense of $19,000,000, and was productive only of the removal of a few Indians, we may well congratulate the country on a consummation so advantageous. It has been contended by eminent pamphleteers, that the war expense must necessarily become onerous, because it absorbs that floating capital, which, in a comparatively new country like this, is always scarce and valuable. A long continued and lavish expenditure upon any unproductive object will necessarily at all times promote financial disorder and general distress. A recent example is afforded in the great railroad expenditures of England, by which $500,000,000 of floating was turned into fixed capital, which, although more beneficial ultimately than the waste of war expense, is as severe a drain upon available capital while in progress. The years 1833–36, in the United States, afforded a similar example; but few public works were then completed, but all capital at command was turned into real estate, new towns and cities, laying out of streets, &c. &c., while production was greatly neglected, and through the agency of a paper mania, the floating capital of the country was diminished in the double ratio of enhanced consumption and diminished production. This was far more disastrous in its effects than any war, because the blighting influence extended to all classes, and all branches of production. If eminent writers apprehend such serious results to the floating capital of the country, through the investment by the government of possibly $100,000,000 in 500,000 square miles of land, rich in mineral productions, and commanding the commercial resources of the Pacific ocean, and opening a direct intercourse with 500,000,000 of the human race, with whom trade has hitherto been comparatively unknown, how is it that they regarded so supinely the progress of a general mania of speculation, which resulted, according to the officia returns in bankruptcy, in a debt of $440,934,615 due to 1,049,603 individual creditors? Inasmuch as that a vast amount of debt was settled without the intervention of the courts, it may be estimated that at least $660,000,000 was due 1,500,000 creditors. How vast an amount of the floating capital of the country must have been consumed in the credit operations, by means of which, the extravagant speculations and wild enterprises of those years were conducted! Yet, the disastrous results that attended the inevitable ultimate exhaustion, were ascribed to the "specie circular," "government war upon the bank,"

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"official hostility to commerce," by those who can now plainly see in a moderate government expenditure for national defence, the evil of exhausting the floating capital of the country. Another and a more insidious means of reducing the capital of the country, which on all sides is allowed to consist of the proceeds of industry only, has been that national policy which has resulted in making the products of four-fifths of the people valueless, in order to "protect" the produce of machines, and a small minority of artizans. The general interests of the Union are agricultural, that is to say, a large majority of the people are agriculturalists. Yet of those agriculturalists, the industry of a small proportion only has served to supply with farm produce all the wants of all other classes. The products of the labor of the remaining agriculturalists, which ought to constitute an annual large addition to the floating capital of the country, has been, through the policy of the government in discouraging a foreign market, rendered valueless. The industry of millions of people has been annually lost to the country, because its produce could not be made available by exchange. The experience of the past year has shown that the floating capital of the country may, by a liberal commercial policy, be annually increased by a sum equal to the whole cost of the Mexican war. In fact, the tariff of 1846 has, in one year, yielded the means of conquering Mexico, and adding half its territory to our domain, without diminishing the floating capital of the country. As an indication of this, we may take from official tables the leading items of export during the years 1846 and 1847, as follows:

UNITED STATES EXPORTS, 1846 AND 1847.

	Products of The Sea.	The Forest.	Provisions.	Breadstuffs.	Other Agricult'e.	Manufactures, &c.	Total.
1845	4 507,124	6,550,421	3,870,149	9,810,508	62,729,203	12,832,571	99,299,776
1846	3,453,398	6,807,248	4,946,971	19,627,020	54,253,520	13,453,736	102,141,893
1847	3,468,033	5,996,073	8,372,612	57,583,661	63,202,044	11,713,260	150,637,464
Decrease, 1847		811,175				1,740,476	
Increase "	14,635		3,425,641	37,936,641	8,948,524		48,495,571

The year 1845 was an average one for the exportation of food, although the United States produced a surplus far above its own wants. The circumstances of Europe growing mostly out of the government measures in England, having avowedly in view the design of placing a larger amount of necessaries within the reach of the people at large, being aided by the railroad expenditure, which enabled the people to purchase more freely at a moment when the relaxation of the commercial laws facilitated the purchase, called into action the produce of the United States. As we have said, inasmuch as a large proportion of farm produce could find no market at home, it was as useless as national floating capital as if expended in feeding an army; grain rotting in barns or in the field, because not worth the cost of harvesting, is no more capital than the uncultivated meadow. The moment, however, that a foreign outlet presented itself, and that grain could be exchanged for goods and specie, the value of the quantity so exchanged immediately became a positive addition to the national capital, and this for two years, as seen above, has been more than $63,000,000, of which more than $23,000,000 has poured into circulation in the shape of newly coined money.

It is not alone in this actual increase of capital that the country has been benefited, but the financial operations of the government, by separating the funds of the government from those of the banks, have eminently tended to retard the growth of that speculative spirit, which, on all former occasions, has certainly attended and followed a prosperous export trade and a large influx of specie. Since the peace of 1815, every ten years has witnessed a financial and commercial revulsion throughout the commercial world. These, have been ascribed to various causes; but the true and only real cause has been the fact, that through the increase of confidence that gradually revives after the occurrence of a revulsion, the agency of paper credits promotes the consumption of floating capital beyond its production, and when this floating capital, which is the instrument by which alone all business activity can be maintained, becomes scarce, all trades become paralyzed, stagnation ensues, until economy and industry have again supplied all descrip-

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tions of goods and produce in abundance, and the export of the surplus of these has returned goods and money into the country, to make up the assortment, and increase the availability of the whole. The United States have recovered long since from the disastrous revulsion of 1836–37, and the amount of circulating capital in the country is far greater in proportion to its business wants than ever before. This is indicated in many ways, more particularly by the good prices which state and company securities command, notwithstanding the great multiplication of the quantities held in this country. In New-England alone, since 1836, there has been invested in railroads, 251 miles in length, $35,902,355; in New-York, near $25,000,000; in other states as much more, making near $90,000,000, in addition to the increase of all the other stocks held at home; and yet within three years a national debt of $45,000,000, and with $16,000,000 more authorised, commands over par for a six per cent. stock, and all held in this country. The amount of public and company stocks now held in the Union, is probably $200,000,000 more than in 1836, and there is no speculation, nor are the markets seemingly overburdened. This affords a strong indication of the accumulation of capital.

The reason that with this rapid increase of means speculation has not revived to check accumulation and promote the dissipation of a portion of the capital is, that the machinery by which speculations were formerly engendered and promoted, viz: the late National Bank, with its affiliated institutions, together with other banks, to the amount of $200,000,000, failed, and went out of existence. As an indication of the rapid manner in which circulating capital was exhausted in the speculative years, 1831-6, we may take the number of houses built in the city of New-York, for nine years, as follows:

1834	877	1837	840	1840	850
1835	1,259	1838	781	1841	971
1836	1,826	1839	674	1842	912

If we take the average of the years 1834–7–8–9, at 793, we find the amount more than doubled in each of the years 1835–6. In those two years there were 1600 houses extra built, which, at an advance cost of only $5000 each, required $8,000,000; but it was not alone in building that these sums were expended, grading and laying out of streets, &c., absorbed incredible sums, and the means of almost every class of society were taken from their regular business and expended in real estate. By this competition for that description of property, the value was run up in the city from $123,249,280, in 1834, to $233,742,303, in 1836; and in the state from $347,608,841, in 1834, to $541,452,060, in 1836. This was one of many ways in which the people spent their money and means, and when those means were exhausted, it was no wonder that they were poor. A curious illustration of this is in the comparative returns of real and personal estate.

	Real.	Personal.
1834	$123,249,280	$63,299,231
1835	143,732,425	74,991,278
1836	233,742,303	75,758,617

Notwithstanding the enormous rise in prices, personal property did not increase, it having been transferred to real estate. Speculations of different descriptions went on all over the Union; armies of slaves were marched from the Atlantic states, where they were raising their own food and producing cotton, to the new lands of the valley of the Mississippi, where they became great consumers on bank credits. In a short time incredible amounts of capital had been consumed by those who had nothing to represent it. In the year 1837, real estate, in New-York city, fell $50,000,000 in nominal value; yet the pressure was ascribed, not to the fact that the money had been spent, but to the "specie circular."

Since that disastrous issue, the production of capital has been much in advance of consumption. People have economised and continued industrious; the seasons have been favorable. Large quantities of all kinds of goods and produce have been produced, and nothing has checked the still more rapid advance of the national wealth, but the want of that

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market for surplus produce, which last year has shown such great results. Hitherto, speculation has not shown itself in a manner to promote the general and large expenditure of capital upon unavailable objects. It is true that the influence of the tariff of 1842 was to cause the investments of large capitals in manufactories, particularly cotton, woolen and iron, and Louisiana sugar estates. Those, for the most part, absorbed a large amount of money in buildings and machines, and have been conducted by inexperienced and incompetent men in that extravagent manner, which a dependence upon the extraneous aid of the government naturally induces, and the results have been ruinous to many. By this means, a considerable amount of circulating capital has been diverted from its legitimate and economical employments and sunk, and this has been the greatest drain upon the national resources. Neither this law created mania nor the building of railroads, or the construction of ships, which the inordinate rates of freight current last year, stimulated to an unusual extent, partook of that wildness of speculation promoted by facilities of credit. They were confined mostly to the actual means of the operators. The operation of the Independent Treasury, united, perhaps, with the uncertainties growing out of a state of war, kept the precious metals, as they arrived in the country, in activity, and prevented their accumulation in bank vaults. This had a strong influence in compelling the banks to keep their discounts within the circle of strictly business paper, or that which represents actually existing property, convertible for the extinguishment of the obligation at its maturity. We apprehend that few or none of the institutions would, if investigated, now present the extraordinary state of affairs that was discovered on the examination of many of the banks after the disasters of 1839. The late United States Bank, as an example, out of $35,000,000, had more than $28,000,000 loaned "not on business paper." The Manhattan Bank, one of the leading institutions of the commercial metropolis, out of $5,000,000 of resources, had lent less than $700,000 upon business paper, and a considerable portion of that "business paper" were the kites of the directors. $1,370,048 was loaned at long dates, to a few individuals, on stocks and bonds and mortgages. Although these two institutions only underwent the investigations of committees, they were not alone in the character of the business done. The means thus diverted from proper channels, was loaned to men not of themselves worth anything. They lost and sunk the money in wild enterprises, and when it was spent, bankruptcy became apparent. The financial policy of the government has eminently tended to retard the return of such a state of things, and by so doing, has, by preventing hazardous enterprises, saved the circulating capital of the country from waste, and promoted its accumulation. Thus far this effect has been produced; but when capital accumulates to a considerable extent, the means of possessing it inevitably becomes more facile; enterprises are embarked in, and as a speculative spirit developes itself, a constantly diminishing caution as to the safety of investments is observable. Already, throughout the United States, a demand for more credit, both public and private, is observable. All descriptions of companies that are in any degree successful, manifest a desire to increase their capitals. In our last, we remarked upon the rapid extension of bank credits, and the multiplication of bank issues. The renewed prosecution of public works, united with the increase of banking credits, is inevitably to stimulate the consumption of capital before production, and while this process is in progress, the highest state of prosperity apparently exists. The increase of national capital, which took place in the last two years, was scattered over the country, and has enabled the interior to pay up well; a fact which, in its turn, promotes a desire to extend credits, which is already very perceptible in the rivalry of city dealers. The prospect is, that a season of increased traffic and gradual rise of prices on a paper basis is now fairly commenced, in some degree checked by the operation of the Independent Treasury, but will probably go on until a considerable portion of the capital lately acquired from abroad, in shape of the precious metals, is again expended.

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GOSSIP OF THE MONTH.

THE ARISTOCRATIC MONITOR is the appropriate and striking name of a weekly journal, published by Berford & Co., Broadway, and edited by Chace Barney, Esq., well known in our community as a finished scholar and accomplished writer. The paper, as its name imports, is given to chronicling the sayings and doings of our aristocratic world. What! cries the indignant republican; do you presume to acknowledge the pretensions of an aristocracy in our democratic America? Most assuredly; and there is no place in the world better adapted than a country so perfectly free as ours, to allow people the innocent diversion of playing at aristocracy if they are so disposed. Let us be understood; we confine the word aristocracy to social life, as this lively paper does. If a journal were started here, not a very probable speculation, to advocate aristocratic principles in a political sense, then we should combat its arguments and denounce its views. But in happy America every man and every woman is allowed to make money and grow rich, and where's the use of wealth, if one can't spend it as he likes? This privilege will always create a class that exercise influence in social life, and why should not a journal, if it can make profit out of it, as the Aristocratic Monitor does, occupy itself with the interests, feelings, and pursuits of this class. We have religious, temperance, commercial, literary, and we don't know how many more of all kinds of papers, meant to serve the fancies of their various patrons; then why should we not have an aristocratic paper, too? This is no doubt what Messrs. Berford & Co. thought when they established it; and conducted with so much tact, taste, and skill by Mr. Barney, it is no marvel that its success is so great. We hear its list ran up by thousands faster than any newspaper of modern annals.

THEATRICAL GOSSIP.

THE ITALIAN OPERA took very unceremonious leave of their New-York patrons some three weeks' since, and serious fears were entertained that,

> "Like a ship gone down at sea
> When heaven was all tranquillity,"

that we should see no more of these capricious warblers. But such apprehensions have been put to flight by the formal announcement that, after their temporary sojourn at Philadelphia, they will return to their first love, New-York, and renew their melodious career amongst us. We await the return of this delightful amusement with ill-disguised impatience.

The PARK THEATRE's spring campaign may be told in words as few and significant, as those Cæsar employed to record his Eastern triumph, but with a very different import. "*Veni, vidi, vici,*" wrote the Roman conqueror—I came, I saw, and conquered. The luckless manager of the Park may as briefly describe the fate of his theatre. "Opened, lingered, shut." The case is a desperate one, evidently. Nothing short of a new interior, an improved exterior, with some fresh blood in the old management, can restore the ancient fortunes of that once successful establishment. "Alas! poor Yorick!"

THE BOWERY THEATRE.—A sudden resuscitation in the direction of this theatre lately attracted our attention. A succession of new pieces, improved scenery, better acting, signs on every side of superior order, attention, to say nothing of increased cleanliness:

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all, in short, announced that a new system, and a new spirit had got possession of this favorite establishment. The mystery was explained at once, when the rumor reached us that Mr. Hamblin again presided over its destinies. There is no man in this country, nor, indeed, out of it, so entirely competent to carry any theatrical enterprize up to the highest point of successful experiment, as this well-known person. Having held, for so many years, the foremost place in his arduous and honorable profession of tragedian, he is necessarily alive to all the exigencies of the stage, and can judge perfectly of the dramatic properties of a play, and the comparative abilities of those who aspire to represent it. This is the first requisite of a skilful manager. He has, besides, a quality equally indispensable, but far more rare in his calling, which consists in a varied and profound knowledge of business in all its ramifications. Punctuality, decision, industry, vigilance, in fine, every trait of that sagacious and subtle compound, christened "a man of business," distinguish him in an eminent degree. Of course, then, his management anywhere and in anything must be successful. The Bowery Theatre, under his control, has always been the best regulated house in the United States. When he held it formerly the stock company was the strongest in the country; and the entertainments he used to give the public were the choicest, the most striking, and the most gorgeous ever produced in America. His faculties have only ripened with rest, and he resumes the direction of this theatre with renewed powers, and fresh resolutions to restore its former reputation, and bring back its former popularity. There is a striking attribute that outshines all the rest in this great manager's character, his wonderful courage, which, calm in misfortune, is steady in success, and which, across obstacles, difficulties and trials of all kinds, never quails, droops, or abandons him. We welcome him back, cordially, to the position he should never have left, and we congratulate the public of New-York and the patrons of the Bowery, on the resumption by Mr. Hamblin of his managerial robe.

The Gypsies.—Mr. James Carruthers, in a lecture recently delivered in this city before a numerous and highly respectable audience, gave an elaborate exposition of the origin, history and characteristics of this strange and outcast race. The lecturer was peculiarly happy in his description of their entrance into countries—their social aspect, adventures, avocations, and marriage and burial ceremonies. He also gave a graphic account of the appearance of their camps in different parts of Europe, and their modes of combating civil power; also, their military expeditions, secret wealth and pleasures. Mr. C. concluded his entertaining lecture by showing how much the Gypsies were dreaded—at times, spies, incendiaries and robbers—often expelled, yet as oft bidding defiance to expulsive edicts. We trust we shall again have the pleasure of a similar treat from Mr. Carruthers. He is young and eloquent.

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NOTICES OF NEW BOOKS.

THE MYSTERIES AND MISERIES OF NEW-YORK. By Ned Buntline. Berford & Co.

This work is evidently suggested by the great work of Eugene Sue, and doubtless New-York affords as ample material for a soul-stirring romance, as even the great Babylon of Europe. Mr. Judson has not sought, like the French author, to weave any peculiar ideas into his relation of social life, but merely to point out the modes and means of vice with which a great city always abounds. In relation to one vice, too prevalent, we quote a chapter as indicative of the style of the work:

"Reader, if you are one of the *twenty thousand* young clerks who are in this city, there is a moral in this young man's course and feelings, drawn *entirely* for you. Follow him through his career, watch him from his first false step to the last, and if you will let thought or fancy place you in his position—feeling as he does—knowing his guilt—dreading an exposure, and the disgrace which it *must* bring alike on him and those who love him, you would never even approach the first fatal misstep, for you would more fear the torments of a shamed and burning conscience, than all the chains or bars which the penal law could inflict.

"You may rob your employers for years in small sums, and perchance do it with a cunning and address which will evade detection; but the ALL-SEEING EYE is upon you, and man never can inflict the punishment upon you that *must* come eventually, even in life, upon your own hearts. After the first step in crime is taken, it seems as if its memory never can be washed away; the devil seems at once to lay a claim upon the committer, and thenceforth drags him *on* and *down*, until he is plunged into the deepest vortex of infamy and misery. Do not commence *gambling*, for it begets stealing as surely as words are begotten and caused by thoughts. There have been more young men ruined in this and other cities by *gambling* than by any other means, even intemperance included. What more valuable assistant has the gambler than the liquor shop? None! Why does each establishment keep the best liquor upon their sideboards, to be drank *freely, gratis*, by their visitors? Simply because if a man drinks freely and addles his brain, they can dupe and rob him with less trouble. Beware of them all—they are sharks, cruising about the world-sea, and unlike the finny sharks of the ocean they can never be gorged.

"And yet *gambling* is *illegal!* 'Why, then,' asks the moral reader, 'is it permitted?' We echo the question.

"It is pretended that gambling is carried on secretly—that the guardians of the law cannot find out where it is done? If such a pretence *is* made, it is false! The writer can point to many a 'hell' within sight of the City Hall steps. Yes, almost within hearing of the Grand Jury, where they hold their usual sittings, there are not less than a dozen large gambling hells, where citizens and strangers, old men and young, nightly assemble to enjoy this enticing and pernicious passion.

"The writer knows that he offends many a one by this open and plain talk, but this book is dedicated to the WARRIORS who are sent to battle with vice in every shape, and it is devoted to a good and noble purpose. Shall he then shrink from his duty because he may offend a set of desperadoes—men who are the very combings of society, who have no profession save that of genteel robbery? No. He has put his foot on the track, and he will 'hoe his row' or die.

"Let no one, then, who has these things in charge, say that gambling is carried on secretly in this city, and that the law cannot touch it. There are establishments here as openly kept, and quite as thickly attended, as the free-seat churches.

"Who that wears a decent coat was ever refused admittance to No. 3 Park Place, or the house directly opposite? Who ever was turned away from the Barclay-street hell, where *our* Henry Carlton and his gang hold forth, if he had a dollar to lose?

"The recherche establishment of Mr. Pat His'n may be a little more secret, because the sons of the *elite* patronise him; but yet his place is well known to those whose *duty* it is to put those things down. We intend that these persons shall have no excuse, for, if necessary, we will give a list of every gambling establishment in town, from 'Butcher Bill's' shop in the Bowery, up, and then see if it is pretended that gambling is carried on 'secretly'—if these worst of law-breakers cannot be hauled over the purifying coals!

"We do not mean to say that the Police, or their ever-stirring and energetic Chief, are

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at all in fault in this matter. They are ever busy; no men connected with the city government have harder work in earning their small, and but too niggardly salaries. But the fault is somewhere—it must rest with somebody! Before we are done with this work, we will try hard to find out who."

THE FAMILY AND SCHOOL MONITOR.

This is the title of a beautiful and comprehensive educational chart, by James Henry, Jr. The only novelty in this production is found in its arrangement of many of the leading and fundamental maxims in general education.

The groundwork of the Chart consists of a Tuscan Portico of four columns, on which are inscribed in large letters the great departments of Education, Labor, Government, and Virtue. Between the columns are three equal spaces filled with maxims, in Physical, Moral, and Intellectual Education, showing at a glance that it is the office of and design of right education to develope the powers and faculties in full and harmonious proportion.

We know of no work that, in so few words, and with so little tax upon both time and purse, will convey to the popular understanding so clear, accurate and comprehensive conceptions of a true and philosophical education. The Hon. Horace Mann, in a late number of the Massachusetts Common School Journal, expressed the hope that this chart would find a place in every school-house in that ancient and highly-distinguished Commonwealth. It has secured similar commendations from many of the enlightened friends of education in this and in other states, and we will add our hopes that it will find a place and that it will be read and studied, and that the great truths it inculcates will find a practical expression, in every family and school of this state and of the Union.

Published in his usual style of excellence, by J. H. Colton, 86 Cedar-st., New-York.

EVA; OR THE ISLES OF LIFE AND DEATH. A Historical Romance. By Edward Maturin, Esq., author of "Montezuma," "the Last of the Aztecs," "Benjamin the Jew of Granada," etc. 2 vols. Burgess, Stringer & Co.

Mr. Maturin is well-known to the literary world as a ripe scholar and distinguished writer, and the readers of the Review are already familiar with his productions. The Spanish ballads, which we published some time since, were highly prized. The present work is a tale of the conquest of Ireland, of the times when the wrongs of that people commenced under their English oppressors, whose yoke they have never since been able to shake off. The subject has been well-handled, and the historical basis wrought into a story of great power and interest by the skill and genius of Mr. Maturin. In the number of the Review for Nov., 1846, appeared from the then unpublished sheets of the present work, an interesting tale of "Morni and Ethnea, a Legend of St. Columba," which doubtless our readers will remember favorably. Mr. Maturin has high claims to the public regard.

A SUMMER IN SCOTLAND. By Jacob Abbott. With engravings. Harper Brothers.

This title does not promise much in the way of novelty to the general reader, yet on its perusal a great degree of interest is excited, by the clearness with which scenes and historical places and buildings are described, fully coming up to the intention of the author, as expressed in his preface, of presenting a picture of what occurred in a summer's ramble.

THE BACHELOR OF THE ALBANY. By the author of the Falcon Family. Harper Brothers.

This is a very lively and interesting novel, got up in a very neat, and exceedingly cheap style.

AMERICAN MNEMOTECHNY; or Art of Memory, Theoretical and Practical; on the basis of the most recent Discoveries and Improvements in Europe and America, &c. &c., with a Mnemotechnic Dictionary. Pliny Miles. 3d Edition. Wiley & Putnam.

The ability to remember and call to mind, opportunely, what one has learned in the course of his existence, is a matter of the highest importance. In fact, without study, research and industry are of but little avail. He who is possessed of a prompt and good memory, may make far more available a small stock of information than a person without that faculty, with a very considerably greater fund of knowledge. Whatever, therefore, tends to strengthen and assist the memory, as it were, multiplies knowledge. The art of Mnemotechny has of late years been gradually growing in popular estimation, and the work of Mr. Miles under notice, is one of the best treatises upon the science, a fact indicated in the sale of three editions.

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THE ORIGIN, PROGRESS, AND CONCLUSION OF THE FLORIDA WAR; To which is appended a Record of Officers, Non-Commissioned Officers, Musicians, and Privates, of the United States' Army, Navy, and Marine Corps, who were killed in battle or died of disease, &c. &c. By John T. Sprague, Brevet-Captain eighth regiment United States' Infantry. D. Appleton & Co., 200 Broadway, New-York.

This admirably-got-up volume supplies, in a most desirable manner, a remarkable passage in our national history, viz.: a seven years' war, waged against a handful of Indians, at an expense of near $20,000,000, more than two-thirds of the debt contracted for the conquest of Mexico. Capt. Sprague seems to have brought great industry and research to the construction of his history, and the facts seem to be treated with candor and judgment. The interest of the narration is well-sustained through the necessarily dry details of such a war. The sketches of the bold and daring chiefs, who led and sustained a war of seven years against the strength of the United States, are of high interest, and the whole contains matter of much useful information. We find the names of young officers who received their first brevets for gallant conduct in Florida, that of late have borne the brunt of the Mexican struggle. The book will no doubt meet with an extensive sale.

A SYSTEM OF ENGLISH VERSIFICATION; Containing Rules for the structure of the different kinds of verse. Illustrated by numerous Examples from the best Poets. By Erastus Everett, A. M. D. Appleton & Co., 200 Broadway.

This little work supplies a grand desideratum, in furnishing a sort of guide to the structure of English verse. The author, in his preface, deplores the general ignorance that prevails upon this subject, even among those who have considerable literary attainments, and seeks, by furnishing a text book for the use of the advanced classes in schools and colleges, to supply a want, and we think he has done so successfully.

OLLENDORFF'S NEW METHOD OF LEARNING TO READ, WRITE, AND SPEAK THE SPANISH LANGUAGE; With an Appendix, containing a brief, but comprehensive recapitulation of the Rules, as well as of all the Verbs, both regular and irregular, &c. &c. By M. Velasquez and P. Simonné, Professors of the Spanish and French Languages. D. Appleton & Co., 200 Broadway.

The great and deserved celebrity of Professor Ollendorff's method of teaching the French, German, and Italian languages, enables the application of that method to the Spanish language to be fully appreciated; the more so, that all elementary treatises on that language have been heretofore more or less defective.

A REPLY TO DOCTOR MILNOR'S "End of Religious Controversy," so far as the Churches of the English Communion are concerned. By Samuel Farmar Jarvis, D.D., LL.D., &c. D. Appleton & Co., 200 Broadway.

This rather heated theological discussion has doubtless much interest for a large class of the community. The writer is seemingly much aggrieved at the favor shown Romanism of late by the English Ministers, and is apparently of the opinion that the Maynooth Grant rather gives the Catholics the advantage over the Established Church.

THE THOUSAND AND ONE NIGHTS. Illustrated with 600 beautiful designs on wood. In 12 parts. Harper Brothers, New-York.

There have been many editions put out of these world-renowned and popular tales; but none are equal in style of typography, or beauty and splendor of illustration, to the present beautiful edition of the Messrs. Harpers.

MANESCA'S ORAL SYSTEM OF TEACHING LIVING LANGUAGES. Illustrated by a Practical Course of Lessons in the Spanish Language, through the medium of the English. By Don Carlos Rabadon, Professor of the Spanish, and Translator of Languages. No. 88 William-street, New-York.

To understand the Spanish language, without doubt, has been a most important accomplishment to all. It has now become, as it were, a necessity. Recent events on this continent have nationalized Spanish with us. A large number of citizens is added to our comprehensive republic whose language is Spanish only, and the march of events will bring our citizens in more immediate contact with at least 20,000,000 persons who

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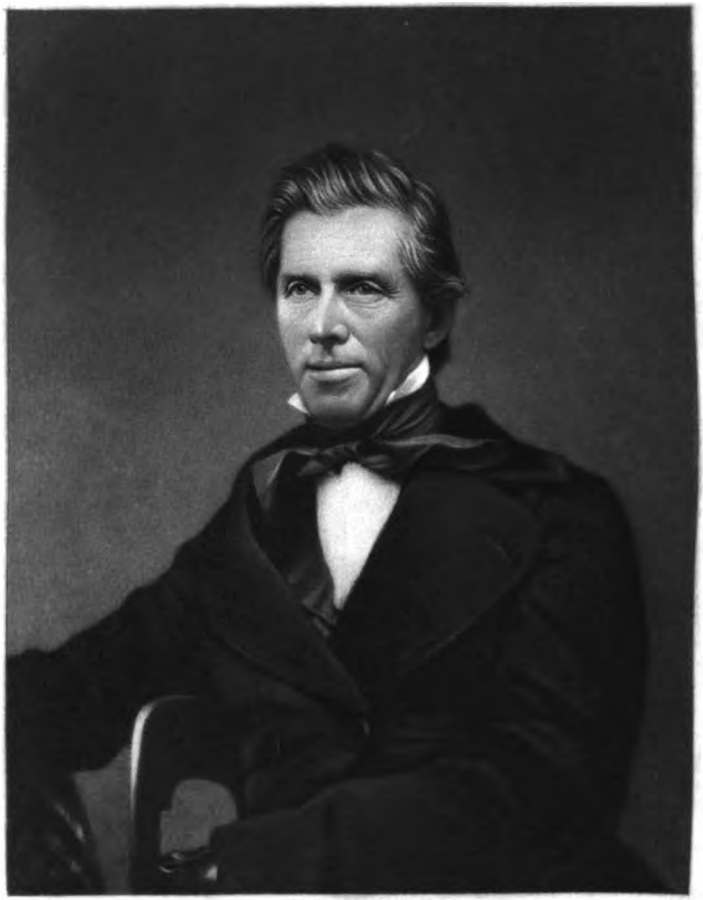

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use that beautiful language. The method of Don Rabadon is calculated to impart a competent knowledge with accuracy and facility. We by all means advise its use in attempting to master that, perhaps, one of the easiest of European languages.

CHESS FOR WINTER EVENINGS, Containing the Rudiments of the Game, and Elementary Analyses of the most Popular Openings, exemplified in Games actually Played by the Greatest Masters; including Staunton's Analysis of the Kings and Queens, Gambit's numerous Positions and Problems of Diagrams, both Original and Selected; and a Series of Chess Tales with Illustrations, Engraved from Original Designs: The whole Extracted and Translated from the best sources. By H. R. Agnell. D. Appleton & Co., 200 Broadway.

The publication of books, like the noble volume before us, on the game of chess, is of itself a most gratifying proof of the increasing popularity of the chief of games. As its title sets forth, this treatise contains the most complete and practical elementary information for the use of those desirous of becoming initiated, and is at the same time rich in diagrams of the most celebrated problems of the most renowned players, for the use of those more advanced in the science. It is a great error to class chess with ordinary games of mere recreation. It should be made part of a liberal education. As mathematics are taught in many cases, not with a view to their intrinsic usefulness, but for the purpose of disciplining the mind, so ought chess to be cultivated with the same object, and we doubt not it might be with equal success.

POSTHUMOUS WORKS OF THE REV. THOMAS CHALMERS, D. D., LL.D. Edited by the Rev. William Hanna, LL.D. Harper Brothers.

This is the 2d volume of the series, of which we announced the appearance some time since, from the prolific press of the Messrs. Harpers. It is the second volume of Scripture Readings, of which the number is three. The remaining volumes of the set containing other of the much-admired works of this eminent divine.

NORTH BRITISH REVIEW. Leonard Scott & Co., 79 Fulton-street.

This periodical is now in the third year of its existence, and has already attained an extended circulation, and a most unprecedented degree of popularity, in Great Britain and Ireland.

The great ecclesiastical movement in Scotland led to its establishment. There was no journal in the United Kingdom which appeared to meet the necessities of this Anti-National-Church agitation. Indeed, the revolution caused by the disruption induced a new state of things, placing the actors in new positions of observation; nor could they give utterance to their new perceptions of State and Church Polity—their new sympathies—their new emotions, without some other organ of thought than any then extant. Hence the spontaneous agreement of the great master minds among them, in the necessity of a new outlet of opinion, and the immediate creation of the North British Review.

The place of the late lamented Dr. Chalmers is ably filled by his distinguished son-in-law, Dr. Hanna, who is now the principal editor of the North British; and the numbers which have appeared since the death of Dr. C., show, by the exceeding ability displayed in their leading articles, that the Review has lost nothing of its original tone and talent.

LONDON QUARTERLY AND EDINBURGH REVIEW. L. Scott & Co.

These celebrated quarterlies contain the usual amount of interesting matter.

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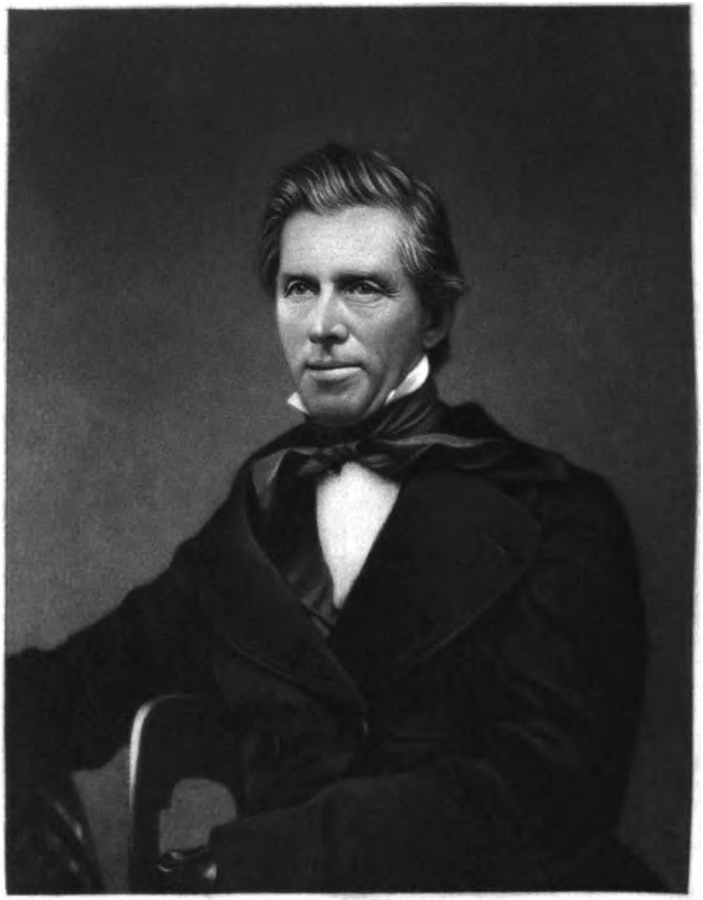

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THE

UNITED STATES MAGAZINE,

AND

DEMOCRATIC REVIEW.

Vol. XXII. MAY, 1848. No. CXIX.

THE UNITED STATES' CONSTITUTION.

The events of the past few months are wonderful, even for this age of extraordinary events. The wisest and most profound statesmen present the most ridiculous appearance from the rapidity with which events stultify their most deliberate sayings. But a few months have elapsed since the prime minister of France, from his place in the tribune, gravely announced the necessity of the policy of supporting a monarchial government in Mexico, in order to establish the "balance of power" against the western republic. Almost while he is yet speaking, Mexico is swallowed up, seemingly without an effort, by the extension of American strength; every throne in Europe topples down, as if struck by the wand of Columbine; republicanism becomes universal, and M. Guizot himself an object of charity in London.* How little did that or any other man estimate the true state of affairs. Austria, under the guidance of the world-renowned Metternich, had scarcely suppressed the little state of Cracow, when all Germany lights up with democratic enthusiasm—the Empire of Austria crumbles in the dust, and the representative of the Cæsars truckles to the crowd for leave to remain yet a little while in the house of his ancestors. The King of Prussia who, the successor of the Great Frederick, but a few months since, in addressing his newly assembled "third estate," most firmly and decidedly made known his unchangeable determination to preserve all the prerogatives that had descended to him, harangues the officers of the army amidst the populace, and exhorts them to "join the popular party heart and soul." The smaller princes are all deserting the "divine rights," abdicating their thrones, and avowing their democracy. When the bold soldier of the Revolution had all these kings waiting in his ante-room until dinner was prepared, and then

* A late London paper states: "We understand that on the day after the arrival of M. Guizot in England, a sum of £2,000 was paid to his credit, at a London bank, by some unknown friend. M. Guizot received almost at the same moment an anonymous letter from the party by whom the money was paid, stating what the writer had done, and another letter from the bankers, informing him that the money was in their hands. The entire small property of M. Guizot, there is much reason to apprehend, will be confiscated by the National Assembly.'

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commenced an anecdote with the remark, "When I was a sub-lieutenant in the regiment La Fere"—a shudder was perceptible amidst the listening representatives of legitimacy at the idea of the plebeian origin of their master. In the same view the warrior of France writes to the actor Talma to come to head-quarters; "You shall play to a pitfull of kings," said he. In such estimation the man of the people held those monarchs whom the people have now learned to value as cheaply. Instead of a monarchy in Mexico to balance republicanism in America, Western Europe is become republican to balance despotism in Russia. It is to be remarked that this state of affairs has not now first taken place; it has only been discovered to exist. All Europe has been supposed to be monarchial and loyal; an accident discovers that monarchial principles do not exist; that democracy is universal, and has but thrown away the old monarchial disguise in which it has been masquerading.

The Revolution of 1776, by which the United States sprang into the world a great and united republic, was nearly the first practical blow which the old feudal system of government in Europe received. Its utter failure as a government was then universally predicted, and these predictions have been periodically renewed, even down to the present day, in spite of the annually increasing power and wealth of the republic. The permanence of the institutions of the country may, in a great degree, be ascribed to their distance from Europe, and the consequent inability of the governments there to play upon public opinion, and to form parties inimical to the well-being of the state. But for this circumstance the aristocrats of Europe would not have been contented with predictions; their busy agents would long since have fomented difficulties of a serious nature. From the first establishment of this government, however, the progress of popular rights has been rapid in Europe, and scarcely a year has elapsed without bringing with it some radical change in the relation of the people to their respective governments. The ground on which monarchy rested has been mined; the people have been busy at the base; and the world has frequently been startled, as some huge fragment crumbled down from the tottering fabric of feudalism, and at each successive change modifying the prerogatives of governments by divine rights, philosophers, historians and pamphleteers have recognized a new symptom of decay in nations, and of progressive relapse into that barbarism supposed inseparable from popular rule. The "age of economy" was hailed as the omen of evil when France, aroused by the struggles for liberty in America, awoke from the slumber of ages, and threw off the nightmare of aristocracy that had so long oppressed her. The economic principle, accompanying the progress of democracy, has gradually improved the condition of the people, while the aristocratic few have indeed much reason to deplore the change. After sixty years' struggle, France, more intelligent and more subdued by experience, has again the mastery of her feudal tyrants, and again the Tory journals of England teem with the revived denunciations of liberty by the Tories of the past age. It is remarkable, while popular rights have been making such manifest progress in all countries, until suddenly aroused, they have been enabled to obliterate almost the last traces of feudalism, that so far from the appearance of the predicted evils, the physical welfare of the people of all the countries has been promoted precisely in the degree in which "that generous loyalty to rank and sex—that proud submission—that dignified obedience—that subordination of the heart, which kept alive, even in servitude itself, the spirit of an exalted freedom," has been rooted out. These well-known and long admired words of Burke are the dainty phrase in which a sentiment, called familiarly "flunkeyism," is expressed—a very

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costly sentiment for any nation to entertain. The United States have never entertained it at all. The people have preferred dignified independence to "dignified obedience;" and throughout the length and breadth of the land equal numbers of human beings never, in any other country, enjoyed in so high a degree, both moral and physical comforts and blessings. This glorious example has exercised an important and wide-spread influence throughout the civilized world. In vain has the press in European countries been restricted; in vain have republican publications been excluded, and no illustration of democratic prosperity been permitted to see the light. Every throb of the great republican heart has impelled the political circulation of Europe, nourishing and strengthening its nascent liberties. Not a vessel leaves our shores but carries thousands of letters that find their way into every hamlet and cot from the Texel to Odessa—from Cadiz to Elsinore. These missives go from relatives to the bosom of families and communities, each carrying with it a lesson in republicanism illustrated by the prosperity of the writer. These communications have turned the attention of the people of all countries to the people of the United States. Those most enterprising of the oppressed have quit their homes, and with their families sought new habitations across the water in a land enjoying no advantages over the land of their birth except that of good government. Last year 80,000 souls landed in New-York from the British Islands, and as many more from Europe. While such numbers leave the country in which they are oppressed, thousands remain, who seek in reforms at home the advantages which a portion look for in a foreign country. For fifty years this operation has been going on, and the extent to which republicanism and popular rights have spread in Europe, through its means, is revealed as it were by accident.

The Postmaster-General, in his annual report, gives the number of letters forwarded through the mails from foreign countries for the year 1847, at 850,000, on which two cents each was charged in addition to the regular postage; and the whole number of ship letters is stated at 1,227,800. The number of letters that go from the United States to foreign countries is much larger than this, and cannot be less than 1,500,000 per annum. To all those who have, in visiting Europe, mingled with the people, sojourned in villages, and visited the cots of the peasants, the intense interest which all manifest in everything which appertains to America, is familiar. The large majority of those who visit Europe travel in rapid conveyances to the principal hotels, read English papers, converse with English waiters, and, if they mingle at all with society, do so among those half Anglicised or Americanised by the number of visitors. These persons race through the country, from hotel to hotel, vainly supposing that they see more of Europe than they could have done at Delmonico's without leaving New-York. Such persons know nothing of the people of Europe, their manners, modes of thinking, social condition, or political aspiration. This information is to be obtained only by years of sojourning leisurely in the small towns and villages of the interior, forming permanent acquaintances among the honest-hearted peasantry, mingling in the harvest homes, and partaking of general festivities.

Frequently has it been our lot on entering a country inn, on a holyday, in the interior of Germany, to meet the rebuff of the host and the scowls of the assembled company, accompanied by the muttered malediction, "Verdamnter Englelander," and to observe, on repudiating the character of Englishman, and claiming that of a citizen of the United States, the universal change of manner, the hum of pleasure, the kindly welcomes on all sides, followed by numerous questions, while the most intense interest was manifest at all that relates to the United States and its people. The most

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intense hate of England and the English, accompanied by the profoundest respect for America, is everywhere to be met with. In the remotest hamlets of Germany a considerable degree of information prevails as to the state of affairs in the United States. This is the result of letters from friends and members of villages who have emigrated. Often have we been sent for by the hospitable *voight* of a village to be present at the reading of a letter from some emigrant from the village to America. The assembled neighbors, listening with profound attention, would, at its conclusion, ask innumerable questions of the great republic and its "noble people, who had fought themselves free." At such a moment the heart swells within the bosom, and one feels indeed what it is to be an American. When the emigrant, after a few years sojourning here, visits his "heimath land," wondering crowds listen with profound respect to his travelled wisdom. The general desire to visit America is thus enhanced, and republican enthusiasm promoted.

This is the influence which, for more than a quarter of a century, has been republicanizing Europe, in defiance of, and almost unknown to, the government and its agents. It has been working silently in the deep recesses of the national heart, and its fruits are visible in the present state of Europe.

That the great changes now being wrought throughout Europe can be ascribed only to the example and influence of the American Union there is no doubt. Yet the confederation of the United States is not the only republic which has been established the last sixty years; nor is it the only government in which the representative principle has been developed. Many republics have been organized on the American continents; and France itself has had several constitutions that have met scarcely with better fate than the *pronunciamentos* of Mexico. The United States Republic has however alone been successful. For nearly seventy years it has steadily progressed amidst perils of all sorts—amidst party strife, accompanied by foreign intrigues at home and wars abroad, it has rapidly risen in political strength and material wealth; affording an eminent example of the success of popular institutions. The progress of the United States in numbers and extent of territory, without apparently changing in any material degree the relative strength of the federal government, is an irrefragible proof that the stability of our system of government does not depend, as many would teach, upon either the number of those enjoying the right of suffrage, or of the acres over which their habitations are spread. The strength of the Union has withstood many trials. A mere handful of provinces, casually united in resistance to England, and on the point of falling to pieces when the necessity of resistance ceased, it acquired at that critical moment a new constitution, which knit the disjointed members firmly together. A second war, undertaken against the will of one-third of its component states, appeared to threaten it afresh with dissolution; it ended in strengthening the Union, through a new infusion of national spirit, and by rousing a common sentiment, which absorbed sectional jealousies and passions. Next came the consummation of the victory obtained by the democratic party in their long struggle with the federalists—a victory regarded by the latter as a prelude to the speedy destruction of the bond which it had been the principle of the former to vindicate and maintain. The result was a contrary issue; for the state authorities, which could not long have endured the stricter yoke intended by the federalists, submitted easily to the modified control which the democratic party exerted in the central government. The nation overflowed across the bounding Alleghanies, and spread over the wide valley of the Mississippi, and it was pro-

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nounced, by those distrustful of the stability of our institutions, that the extension of empire would inevitably lead to disruption. Contrary to all anticipation, this very extension has preserved the unity of the republic. The growing separation of North and South, divided in interest, and with hostile feelings, fostered by knavish demagogues, was prevented from coming into direct collision by the introduction of the new Western States. This third and powerful element kept the others together in continuous harmony, and, in the same manner, every subsequent addition has tended to strengthen the fabric rather than to loosen its materials. Hitherto the wider the dominion of the federation has spread, the greater the number of local interests and population comprehended within its boundaries, the less appears to be the probability that any particular local interest can threaten the stability of the whole. The chief element of cohesion, which has kept the federation together in its vigorous and rapid growth, has been the scrupulous adhesion of all parties to the constitution, whose extreme elasticity enables it to comprehend within its limits so many interests, diversified by circumstances of settlement and climate. Whatever may have been the exasperation of party leaders, growing out of the defeat of political combinations for the elevation of particular individuals to office, no party has yet had the hardihood to lay hands upon the constitution directly. Disappointed candidates have at times petulantly exclaimed against particular provisions, to the operation of which they have ascribed their defeat, but they met with no sympathy from the people. It is true, that while America has continually exerted an influence that has tended to unsettle and ultimately destroy the existing institutions of Europe, she has not altogether escaped retaliation. The emissaries of their English aristocracy, with the Exeter Hall associates, have, for near a quarter of a century, steadily striven to create a party in America, which should, by operating upon one of the institutions of the country, enter a wedge into the constitution, in the view, ultimately, to destroy the compromise of that instrument, and by so doing tend to sever the Union, and introduce sectional heart-burnings, separate legislation, and perhaps civil war. These agents have not been altogether unsuccessful; a party, composed of the most reckless fanatics and unprincipled men, formed round English emissaries as a nucleus, actually exist among us; their creed is a violation of the terms of the solemn treaty of confederation. They are men who stop at no crimes, and whose open profession is that of "man-stealing," for the avowed purpose of destroying the Union. The preamble of the glorious constitution sets forth that this instrument is established to "insure domestic tranquillity," and to this end in guaranteeing the institution of the south, enacts that those held to service in one state, escaping into another, shall be delivered up on the claim of the party to whom the service is due. The constitution is attacked not directly for the removal of the terms of compromise it contains, but indirectly by feloniously violating its terms. This compromise was, at the time of its adoption, indispensable to the security of the domestic interests and institutions of a large portion of the states. It was so vital to their preservation, that it is constituted a fundamental article, without which the Union could not have been formed and cannot exist. If the Union had not been formed and the states remained each sovereign and independent, with its own fiscal arrangements, its custom-houses and revenue officers, with every variety and degree of protective legislation for itself, and the most approved hostility against its neighbors, almost ceaseless war would have been the result. The attempt of one state to interfere with the description of property held by the citizens of another, would have been *casus belli*, and so far from a flourishing Union, composed of twenty-nine states, there would possibly have continued thirteen military anarchies; the

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industry of each thoroughly protected by the high tariffs against the ruinous competition" of the others. This state of affairs was clearly seen to be inevitable, without a union, by those who strove to effect one; hence, to insure "domestic tranquillity" was the prominent reason put forth in the constitution for its adoption. The existence of a party, whose avowed object is, by violating this conservative clause, to set at nought the stipulation on which the bond of union is based, and to dissolve the federation into hostile governments, is a singular anomaly in our history. The English emissaries, who concocted and gave consistence to this treasonable association, are still its active supporters, and one of them has recently been elected a member of Parliament, while his colleague, in New-England, suddenly assuming the trade of politics, was sent by the same agencies to Congress, where happily his individual profligacy was discovered sufficiently early to destroy his influence with the party with which he professed to act.

As however, on former occasions, the constitution has proved a safeguard against the dangerous ascendancy of men professing principles inimical to the national well-being, so has the growth of the country, by producing newer interests and different combinations, gradually undermined the influence which the sectional organization had exercised over the general direction of affairs, and sunk the importance of certain political circles in reference to the general interests. As this fact has become developed, the tendency of politicians to attempt to disunite the political affinities of the whole Union, and to draw more distinctly sectional lines as an element of party distinction, has been apparent. The same parties, who uniformly denounced the agitation of subjects tending to dissever political organization, gradually become the agents of an attack upon the rights of a section without reference to party. It is undoubtedly true that the adhesion and harmony of the Democratic party has hitherto been the instrument by which our institutions have been preserved in the progress of the nation. As we have before remarked, the lapse of time has demonstrated that those very measures which have been carried out by the persevering steadiness of the democracy, and which have been regarded as fraught with national ruin in their consequences, have proved almost the sole means of preserving the federal constitution and the integrity of the Union. This preponderance of party power has been attained only by strict adherence, not only to the letter, but to the *spirit* of the constitution. That instrument is the result of compromises of the interests of different sections —its essence and spirit is compromise; and he is but a lukewarm American who weighs strictly the words of the document to find some unguarded point through which the rights of one state or states may be assailed to the jeopardy of the whole. That is not the American mode of sustaining a constitution. It is the Mexican, the Santa Anna and Louis Philippe mode of sustaining written constitutions, and its results are, the subversion of the government, the disgrace of the nation, and the political ruin of the actors. A distinctive feature of the whig party has ever been a latitudinarian construction of the constitution—a straining of meaning so as to confer upon the central government powers not granted it, and which may operate in violation of state rights, and in opposition to the spirit of the constitution. What avails it that parties to a contract have made a stipulation to protect mutually their rights, if means are found to evade the stipulation, and injure that which they are meant to protect? The contract may nominally continue for a short time to exist, but its dissolution is not distant. The object of these attempts is, by changing the locality of political power, to influence or divert the expression of the popular voice in favor of some candidate or political leader, different from what would be the case were the people left to the entire freedom of their choice. Every such attempt is an

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attempt at fraud upon the right of suffrage; and however expedient it may be deemed for the moment, will fail in the end. The formation of a northern party gradually by means of fostering prejudices against the south, through the fatal divisions of the democracy, has been frustrated by a dispensation of providence, which on more than on one occasion, seems to have specially and opportunely interposed in behalf of the great western republic. The statute book of New-York is disgraced with an unconstitutional law, passed through the influence of those who sought personal aggrandisement at the expense of national disunion. The elements of the attempt are scattered, not destroyed; but seem gradually to seek their natural affinities in the ranks of the whig party, and to point determinately at checking the territorial progress of the Union, coinciding with the whig policy of consolidating power in the larger states for the oppression of the smaller ones.

The great difficulty in the formation of the constitution, was to adjust the relative power of the larger and smaller states. By the Declaration of Independence, each state was declared to be a free, sovereign, and independent state. All were, therefore, independent of each other, and all equal in sovereignty; and the high supporters of state rights maintained, in the convention, that all should be equal in power. The larger states, on the contrary, contended, that their numbers entitled them to the predominance. The contention was so violent and obstinate, that at length the convention was brought to a stand.

"General Pinckney proposed, that a committee, consisting of one member from each state, should be appointed, to devise and report *some compromise.*

"Mr. L. Martin had no objection to a committee, but no modification whatever could reconcile the smaller states to the least diminution of their equal sovereignty.

"Mr. Sherman. We are now at a full stop. And nobody, he supposed, meant that we should break up without doing something. A committee he thought most likely to hit on some expedient."

The difference was reconciled by a compromise, by which the popular principle was made to prevail in the House of Representatives, and the equality of the states, as sovereigns, in the Senate. In the natural progress of this country new states have multiplied rapidly, and the representation of states in the Senate increased faster than of the people in the House. This has been violently denounced of late by the advocates of the large states as "unequal representation." These senators represent, however, not the people, but the sovereignty of a state. There can be no degrees of sovereignty. A state is not the less independent because its people are not so numerous as those of another. New-York is not more sovereign because it has 2,600,000 people than Iowa, which has but 43,000. This is a specious argument put forth by those who wish to lose sight of the sovereignty of the state. The most difficult question, however, of all agitated in the convention, from the conflict of the larger and smaller states, was, as to the appointment of the executive. No less than eight different projects were proposed, and finally the advocates of states' rights supposed they had prevailed, when a compromise between the larger and smaller states was decided upon. As the matter now stands, the advantage is given to the larger states in the electoral colleges, where the weight of numbers prevail; but the sense of each state is to be taken separately. Should this method fail, of electing the president by a majority of all the votes, then the compromise in favor of the smaller states takes effect, and the election goes into the House of Representatives, where each state votes one vote. This is the compromise.

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Those who voted for this, declared and believed that "not in one case in fifty would the president be chosen in the first instance by the people." The congressional caucus system of nomination, however, long interfered in controlling the presidential election. This the people condemned and destroyed, by electing General Jackson by nomination rising immediately from the people. National conventions have since, in some degree, consolidated party action, and prevented what would generally be the case were no national party unanimity promoted by its action, viz., the throwing of the election into the House, and consequently into the hands of the smaller states. Thus the operation of the convention has been to insure the election of the candidate by the people in the electoral colleges, and therefore to defeat the views of those who, in framing the constitution, supposed that the election would uniformly fall upon the states in equal representation. Party unity in convention has therefore been the means of insuring the election by the people. Those aspirants whose views cannot be promoted by an appeal to the whole people, are they who seek, by fomenting dissensions, to defeat an election by the people, thereby throwing the choice of executive into the House. A new necessity then arises, viz., to oppose the admission of new states whose voice in the election will equal those of the larger states. Hence the bitter hostility to the annexation of Texas, followed by such collateral attempts as are hoped to be sufficient to exclude New Mexico and California. The new states voting in this right of sovereignty on equal terms with the old states for choice of executive, are now likely to hold an even balance. If, however, the march of the Union can be stayed; if the fruits of our great victories, the blood and toil of our gallant armies, can be thrown away; in short, if the national welfare can be jeopardized, the national honor tarnished, the rights of a large portion of the people trespassed upon, and a desperate blow dealt at the spirit of the constitution, the political intents of a clique of aspirants after power may be promoted.

In other countries the world has been afforded the frequent example of a violated constitution and political disorganization verging upon anarchy, to gratify the ambition of party leaders and dynastic despots. After an existence of more than seventy years, the United States has now just witnessed the germination of a political creed, the essence of which is an attack upon that constitution which has hitherto been the safety of the country. This creed is put forth in a most insidious manner, seeking to stab the Union under the cloak of constitutional defence. The results will show that the people of the United States are not of the material to be made dupes to the sophisms of desperate political gamblers, whose lust for power would lead them to sacrifice their country upon the altar of their ambition, and that America is destined to be the most permanent republic as she is the first and greatest.

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GROWTH OF STATES.

In the very lively satire of Headlong Hall we have an amusing account of the various opinions entertained as to the movements and destiny of the human race. The three great theories discussed in the novel are, 1st, that mankind are continually advancing in knowledge, virtue, happiness, and civilization; 2nd, that the race is constantly deteriorating, and that instead of advancing in a career of improvement, man is always retrograding; and 3rd, that we go neither backwards nor forwards, remaining *in statu quo*, ever striving, but never progressing. The first of these opinions has, of late years, become the most fashionable; and men, now-a-days, talk of the law of progress, as if it were established by an irrefragible array of facts. As advocates of the second, we have that small class of men who, discontented with their situation, fancy that the past must have been better than the present; but their cynical disposition would keep them dissatisfied with any age. Those who hold the third are, as we think, nearest the truth; and they are apt to be such as look at man in his relations with the universe rather than in the light of a being temporarily inhabiting the earth—considering our short existence here, no matter how tolerable may be our circumstances, as nothing better than a state of trial, in which, notwithstanding all our petty triumphs over matter, we are finally conquered and ground into dust.

But although skeptical as to the law of progress, we admit a law of movement. As life is nothing more than a continual series of changes going on under the influence of a particular force, so the existence of the human race, and consequently of the nations and tribes into which it is divided, depends on a succession of movements necessary for the action of busy minds and restless passions. And this necessity of change is constantly forcing the Caucasian race into new fields of labor, so that in its course of empire it has nearly returned to that point of the globe from which it started.

From the law of movement we deduce the corollary—so commonly expressed as to have become almost a truism—that a state must be always on the increase or the decrease. The sun appears stationary at the solstice only, because its motion at the turning cannot be readily seen. The power of states waxes and wanes; but how can it be at a stand-still? Nor is this condition of power limited to any particular class of states. It is true of them all, no matter whether they be monarchies limited or absolute, aristocracies open or close, democracies partial or pure. If history could teach men truth, or ever be regarded by them as more than "an old almanac" filled with names and dates, it might show them that the foreign relations of states are little, if at all, influenced by the particular form of government adopted by a people; and that all government, which is another name for power, has certain tendencies and dispositions as uncontrollable in their nature as are the human passions from which they spring. That the desire, and therefore the necessity of extending their power, is greater in democracies than in other forms of government we readily grant; but we go farther, and say that their capacity and fitness for so doing is greater in the same degree. The great error of those who wish to over-govern man, is that they suppose the passions only are developed by freedom; whereas, power intel-

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lectual and moral, keeps pace with, and is actually quickened into life by the developement of passion. Let us not then pretend to deny that the tendencies of our government are towards an increase of power, and that, as a means to this end, we aim at the extension of our territory. Let us rather strive to show, both in theory and practice, that we are well qualified for the task we have undertaken, and that if democratic habits foster the instincts of acquisition and empire, they also enlarge the sphere of our benevolence, and strengthen the capacity to assist our fellow-men.

To prove that democracies are, from their very nature, better fitted than other forms of government for an almost indefinite extension of territory, we need only recur to the principle on which they are founded. The only way in which two democratic communities can ever be united under a single government is, by giving to that government certain limited and definite powers, reserving to each community the exercise of all those general powers which it may deem proper for its well-being and maintenance. Is it not clear, from the constitution of men, that any community will more willingly attach itself to a government which takes from it the least possible amount of power—in fact, only that necessary for securing to the community its reserved rights—than to a government seeking to absorb in itself all the privileges and functions of its various members? And as to the superior fitness of democracies for the extension of their territory, it makes little difference whether the country over which they are to stretch their protecting arms, be one altogether wild and unsettled, or highly civilized and thickly inhabited. Our own experience teaches us the rapidity with which democratic hands subdue the forest and make the soil subservient to man's will and uses. The signs of the times indicate that we will soon submit to the test of experiment the ability of our government to bring under its control a people numerous and half-civilized, who have for several centuries lived under a system differing vastly in spirit from our own. What is to be the success of this great experiment? Are we, by attempting objects beyond our reach, to prove the inefficiency of our republic in attaining all the ends for which governments are formed, and by thus exposing our weakness invite the ridicule and contempt of mankind? Or are we to be as successful in this our last effort, as in all that we have previously attempted, and show to the world that we are not only capable of carrying on war and sustaining all the operations of military science, but that we are equal to all the emergencies of victory, and as well qualified for directing the citizens of a vanquished state as for destroying its armies?

For ourselves, we cannot for a moment doubt the success of the experiment. We have only to cast our eyes back to Pagan Europe, and see the ease with which Rome held together the remote provinces of Britain, Asia Minor and Egypt, all differing from each other as well as from the metropolitan city in manners, language and religion, in order to learn the principles on which we should act, if in the course of events it becomes necessary for us to assume the government of Mexico. In the management of her provinces, Rome displayed much of the political wisdom on which she prided herself; and in the tenacity with which she held her conquests, as compared with the trifling influence of the Greeks over their colonies, we have a proof of how true the boast, that if in arts and elegance she equalled not Greece, yet in arms and empire she was the mistress of the world. The principle on which the Romans acted, was that of interfering as little as possible with the domestic institutions of the conquered country, leaving the subordinate branches of the civil ad-

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ministration in the hands of the vanquished people, and bestowing only the higher and more general offices of state, together with all grades of the military body, on the conquering citizens. The great error of the Roman policy consisted in not pursuing sufficiently far the course adopted; as far as the republic went, it did well, but it stopped too soon. Instead of so training the provinces as to be able, after a time, to incorporate them with the main body. Rome kept them always distinct and separate; they were rather appendages than parts of the empire. The true policy would have been to emancipate the minors after they arrived at a proper age; not to have kept them in a state of everlasting tutelage. It becomes us to profit not only by the wise examples of the past, but also by the errors of those who have gone before us. Let the sufferings of those who have strayed into false paths keep us from following their footsteps. While we imitate the toleration and forbearance of the Romans towards their provinces, let us keep our minds clear from the contracting pride of race and of conquest, ascending to a higher and purer atmosphere than that in which the ancients moved. Let us be actuated in our treatment of conquered provinces by the nobler pride of principle—that principle of equality, which makes us feel that one man was not made to domineer over another, and that he is the best citizen whose loyalty springs not from fear but from love.

There was, however, a course of conduct (and we think the wisest part of her provincial policy) pursued by Rome, calculated for winning the love, while it at the same time commanded the reverence of her dependencies. No sooner was a country conquered by her, than she commenced a vast system of internal improvement, (we hope this general term will not be confounded with the technical meaning given to it by political parties,) stretching through the whole length and breadth of the acquired territory. Roads were constructed of such length and durability that modern travellers and engineers are filled with wonder and admiration in beholding the ruined fragments of those Briarean arms that held the ancient world together. Fortresses and walls, and aqueducts and amphitheatres were built, that seemed to simple and ignorant villagers the works of primeval Titans, rather than of a race formed of the same dust as themselves. With all the improvements of modern times, with a capacity for applying science to practical purposes, unsurpassed in any age or any country, how much more rapidly may our citizens inspire the Mexicans with those same sentiments which enabled Rome to hold with a gentle, yet vigorous hand, so many and such different tribes and people! Our railroads and printing-presses, and magnetic telegraphs, will seem to modern Mexicans as much the gifts of the gods, as did to their Indian ancestors the cannon and horses of Cortez and his companions; only ours are the gifts of the god of peace—not of the god of war: ours are implements of life and happiness—not of death and suffering. But the greatest lesson of all will be to teach them self-government; to instil into them that spirit which is held captive by the thread of law, but subdues all matter by the energy of its action. And in this work, the press will be the great instrument for affecting the people. Leading men—at least men of talents—in Mexico, will soon perceive the benefits of our government, and learn to value the just principles on which it is founded; and through them and their language we will be enabled to fill the whole mass of the people with a knowledge of their rights and duties.

Our government has already taken the first and most important step towards instituting a temporary system in a country at present almost without order or government. It has been determined that Mexico must

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bear the burden of the war, if she persists in it; that as the contest was brought about by her misconduct and continues through her folly, she must support its consequences, grievous though they be. Probably our next step, on rejection of the proffered treaty, should be to confiscate the estates of those found in arms against us, and sell them out at public sale. The purchasers, or at least a majority of them, would probably be American citizens, and thus we might, at the same time, increase the revenue necessary for the support of the army, and fix our own citizens firmly on the land of their debtors. If this plan is not pursued in regard to that part of estates cultivated by hostile owners, it ought, at least, to be followed as to those immense tracts of land, lying idle, under a fertilizing sun, and only waiting the hand of an energetic master to yield abundantly all that can gratify the wants and tastes of mankind. Why should these lands remain longer in the nominal possession of lazy lords, when others are ready to reduce them by cultivation to an actual and real possession.

Perhaps the chief idea to be kept in mind in our treatment of Mexico, is to be found in the caption of this article. In order that animals may grow, they first seize hold of their food, then swallow and digest it, then assimilate it. We have fairly got Mexico in our possession; shall we swallow, digest, and assimilate the entire country?

POWERS OF THE NATIONAL AND STATE GOVERNMENTS.*

MANY heartburnings and much angry discussion have been excited by the manner in which advocates for state rights have, in their hot haste, overlooked the due degree of weight which to the federal government of right belongs, in respect to the peculiar institutions of the south. The federal constitution has guaranteed to the south its rights in respect of the persons held to service within her borders; and it has ever been the practice of the people of the whole Union, as well as of the democratic party proper, to respect all the rights of the south acknowledged in the constitution, both present and prospective, actual and implied. The clause relating to fugitive slaves, or the escape of persons "held to service" in one state, into the territory of another, is to be found in the federal constitution, and not in that of any state. The natural conclusion is, that the national government is bound to provide the mode, manner, and means, through its proper departments, to carry into effect the rights and duties imposed upon it by the constitution. The doctrine that states have no right to legislate at all upon this subject, has been advanced by the most eminent jurists; and many states have gone so far as to prohibit their officers from acting as agents of the federal government in carrying out the duties of the federal government in this particular. Their legal *right* to do this may well be questioned; but undoubtedly no *moral* right exists. It is an unfriendly act towards a neighbor, springing from motives of hostility to other states, with whom it is our duty to maintain friendly relations. War and bloodshed would follow actions emanating

* Powers of the National and State Governments.—Pennsylvania Law Journal for April, 1848.

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from such motives, were not the states united by treaty under the constitution. To evince hostile feelings under the cloak of that instrument, is the first step towards its abrogation. In relation to the matter of right, the question has been put in a very clear light in an able article, the caption of which we have placed at the head of this article. It is by Judge Ellis Lewis, of Pennsylvania, one of the ablest jurists of Pennsylvania.

Our attention has recently been called to a question which has arisen between the states of Pennsylvania and Maryland. If we believed that injustice had been done to a sister state by the authorities of Pennsylvania, we should unhesitatingly express our disapprobation of such violation of right. But if Pennsylvania has done no wrong, it is proper that her proceedings should be sustained by her citizens. The Legislature of Maryland enacted a law making it felony in a slave "to escape into the District of Columbia, or into any of the states of this Union, against the will and consent of his master and owner, with a view to escape from servitude." Under this statute an indictment was found in Maryland against John Mark, and other fugitive slaves, for escaping into Pennsylvania, and the governor of Maryland demanded them of the governor of Pennsylvania, not as fugitives from *labor*, but as fugitives from *justice*. Gov. Shunk, under the advice of his attorney general, refused to comply with the demand, upon the ground that the constitution and laws of the United States, having embraced the case within the provisions for the surrender of fugitives from *servitude*, no state legislation could evade those provisions, or alter the character of the transaction, so as to introduce the case under the provisions for the surrender of fugitives from *justice*. The act of Congress of 12th February, 1793, in pursuance of the constitution of the United States, made ample provision for the surrender of these individuals as fugitives from *labor*, on the "claim of *the party to whom such labor is due*." It was therefore an infringement of the federal constitution to pass a law transferring to the governor of Maryland the right to demand a surrender; thus making the very act of *escape* which, under the constitution and laws, gave *the owner* a right to demand a surrender of his property into his own custody, a ground for depriving him of that right, and conveying his property to the custody of a state government which might or might not respect his constitutional rights of property. It is difficult to imagine a more palpable violation of the constitution. It is undeniably the true construction of the article relating to the surrender of fugitives from justice, that it embraces, as a general rule, all such acts as are made criminal by the laws of the state where they are perpetrated. The states are sovereign and independent, and have entire control over their own municipal legislation, except where they have granted the power to Congress. It follows that they may make any thing a crime which they deem detrimental to the public interest, *with the single exception of cases excluded from their cognizance by the national constitution.* The case of a fugitive slave, being provided for by that instrument, and by the act of Congress of 1793, no state could give a new remedy for the same evil when such new remedy is in direct conflict with that provided by the constitution and laws of the Union. Indeed, we might go much further, if we adopted the views of Justices Story and Wayne, in the case of Prigg against Pennsylvania, (16 Peters' Reports, 539,) in which the startling doctrine was advanced, that the states have no right to legislate at all on the subject of surrendering slaves to their masters! If this opinion be law, the act of Maryland must be regarded as a nullity, because it is *upon the subject of surrendering fugitive slaves.* But the doctrine of Story and Wayne is generally denied, and our objection to the Maryland act does not stand upon ground so untenable. The objection to it is that it conflicts with the constitutional remedy previously given by paramount authority, and absolutely obstructs the delivery of the fugitive to "the person to whom his labor or services may be due," as required by the federal constitution—the supreme law of the land. The views of that eminent jurist, Chief Justice Taney, and of Mr. Justice Daniel, which recognized the constitutionality of state legislation, so long as it was auxiliary to the remedy provided by Congress, are the true doctrines of the constitution in this respect. And New-York, Pennsylvania, Maryland, and other states have, by a long course of legislation, practised upon that construction. But when the novel and ultra views of Mr. Justice Story, as the organ of the Supreme

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Court, were announced, they offended the dignity and tended to impair the rights of state sovereignties; and the result has been any thing but advantageous to the interests supposed to be promoted by the doctrine. Those who countenanced the constitutional novelty cannot complain that Pennsylvania has taken them at their word in her act of 3d March, 1847. By this act all the state laws on the subject of surrendering fugitive slaves were repealed; and as State Judges had manifestly no better right to act in the premises than State Legislatures, it was natural and proper that the subject should be left entirely in the hands of Congress, and of such judicial officers as that body should think proper to create. Accordingly by the Pennsylvania law, all her State Judges and magistrates were prohibited from taking cognizance of fugitive slave cases under the act of Congress of 1793.

This brings up the interesting question, whether Congress can insist on employing the State Judges without compensation and against the positive legislative prohibition of the state under which they hold their commissions and receive their salaries. There is a great difference between refusing to recognize a right claimed under the federal constitution or laws. in a case within the proper jurisdiction of the State Judges, and refusing *to take original jurisdiction conferred by an act of Congress.* In Virginia, the ancient seat of state rights doctrines, it was decided in the cases of Jackson vs. Row, and the Commonwealth vs. Feely, that Congress had no power to confer criminal jurisdiction upon state courts or officers. See the National Intelligencer, Dec 23, 1815, and 1 Virginia cases, 321. In South Carolina a similar decision was pronounced in the case of Rhodes; see 12 Niles' Register, 255 and 376. In Ohio the same construction was adopted in the United States vs. Campbell. See 6 Hall's Law Journal, 113. In New-York the same doctrine was maintained in the United States vs. Lathrop, and in Metzgar's case. See 17 John. 4, and 10 Boston Law Reporter, 378. In Maryland the same doctrine prevailed in the case of Almeida. See Niles' Register, 115 and 213. In the Circuit Court of the United States for the Massachusetts district, it was held by Mr Justice Woodbury, that State Magistrates *might, but were not compellable by the United States* to entertain jurisdiction of an application under the treaty of extradition with Great Britain to surrender fugitives from that nation. The British Prisoners, 1 Woodbury & Mer. C. C. R. 66. And in Prigg's case, Chief Justice Taney distinctly declared that "the State officers mentioned in the act of 12th February, 1793, are not bound to execute the duties imposed upon them by Congress, unless they choose to do so, or are required to do so by a law of the state, and the state legislature has the power, if it thinks proper, to prohibit them. The act of Congress of 1793 must depend altogether for its execution upon the officers of the United States named in it." (See Prigg's case, 16 Peters' Reports, 630.) Congress may give jurisdiction to state officers, if the latter are willing to accept the grant, and if the states make no objection; but cannot withdraw the state officers from state duties without such consent—otherwise all the machinery of the state governments could be broken up and the state sovereignties entirely obliterated. On this principle the cases already referred to may be reconciled with the Ohio decision in Henderson's case, (Washington Union of 22d March, 1847,) and with the Pennsylvania decisions in Hall vs. Deacon, and in the Commonwealth vs. Halloway. See 5 Sergeant and Rawle's Reports 62, and 5 Binney's Reports 513. In these cases, the voluntary action of state officers, *when unrestrained by state laws*, was sustained. Pennsylvania, in the repealing act of last session, has only exercised her constitutional rights as an independent state, precisely as her sister states have recognised them to exist; and she has exercised no greater authority over the question than the Chief Justice, the honored and venerable representative of Maryland, on the bench of the Supreme Court of the United States, has acknowledged her to possess.

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THE EAST AND THE WEST.

No sectional feelings should be entertained. Each should feel himself a citizen of the world—a friend of man everywhere. Patriotism is a falsehood. It limits the free going-forth of benevolence within imaginary boundaries. Under its dictation, a man of France is not so much a man in the estimation of an Englishman, as he who lives on the other side of the channel; and he is deemed a stranger to the love of an American heart, whose lot has been cast beyond the rolling flood. Indeed, the time is not far back, when those who lived over the mountain, across the river, or beyond the sea, if they acknowledged other political organizations, were regarded as rightful prey, and hunted down like ferocious beasts of the forest. In the progress of enlightenment, the claims of justice have been more and more acknowledged; and even now many great hearts in every nation begin to feel the genial sway of benevolence, and long for the universal recognition of that expanded philanthropy, that embraces with equal warmth the whole human family. If, then, as truth predominates, the impulse of patriotism is weakened, it follows, that in that sublime consummation which is to be wrought by her power, all sectional feeling, which is patriotism, will be overcome, and man everywhere be kindly regarded and benefited in proportion to his need of kind offices. Patriotism is true when considered in relation to the past and even present imperfection of mankind; but her ripest fruits have been, and still are, to a lamentable extent, desolated fields, fatherless children and widowed hearts. But while I protest against a spurious patriotism, I must acknowledge that a love of country will attach where truth is most revered.

The East and the West!—where is the East, and where the West? When speaking of these sections of our own country, we commonly call that the East which lies between what is denominated Western New-York, Pennsylvania and Virginia, and the Atlantic Ocean;—and that is the West which sweeps off from this boundary indefinitely toward the setting sun.

The first settlement of civilization in the East, was made in 1620; ditto of the West, in 1780, save, perhaps, the trading posts and temporary settlements made by the French; at least, this is the period of the first dawn of civilization in Ohio. The West is therefore 69 years of age, while the East is 229 years old—there being 160 years difference, or a ratio of three to one in the ages of the two great sections of the nation.

The population of the East, including the whole of New-York, Pennsylvania and Virginia—that is, twelve states, was, in 1800, 3,921,304, or almost four millions of people. The population in the same section, in 1840, was 8,549,106, being an increase in forty years of 118 per cent. The population of the West, according to the census of 1800, including Kentucky on the south, was 371,295, and in 1840, 4,100,433—being an increase in forty years of 1100 per cent. Here we find an increase of population in the West nearly ten times greater for the last half century than in the East!—and this, too, by including Western New-York, Pennsylvania and Virginia with the East, which, if classed with the West, would make the statistics still more interesting.

Thus we find a rapidity of settlement in the West unparalleled in the history of the world. This is not, however, claimed as a credit to the Western people, for it is due to the munificence of the Creator in spreading out such

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a glorious and limitless field, whose exuberant fertility so readily supplies the wants of man. But these facts are mentioned to show the circumstances under which the West has been peopled; considering which, all have reason to be surprised in finding here so favorable a social condition. This has been the happy land where milk and honey flow, to which the poor but undespairing, the ignorant but active, and those in moderate circumstances, but rich in simplicity and energy, have come in immense annual tides. All nations, all sects, and all parties, have contributed to the formation of Western character. There has been, therefore, many discordant elements poured into and constituting western society. Every township, village and city represents almost every place of humanity. At first, the people are strangers, of conflicting spirit, and consequently more or less antagonistic in feeling. It is with great difficulty and long delay that they unite in putting forth those efforts upon which social improvement depends, and in advancing those enterprises of public beneficence, which require the harmonious labors of all. In Kentucky, Ohio, Indiana and Illinois, the pioneers did not consolidate their feelings and their means, in promoting the educational and religious welfare of the young, because they had not been brought up to that intellectual and moral plan where they could see and appreciate their true interests. Socially, they were a kind of primitive formation, with minds somewhat chaotic; but I would not wholly condemn them, for they were really more moral than the people of many old communities, because they were simple in their manners, less selfish and more generous, and no doubt, in their rude way, more kindly social; but they did not build churches nor school-houses, nor establish libraries; neither were these things done until they were supplanted by more enlightened emigrants, to whom the pioneers yielded their possessions and retired to their more congenial home, the wild woodland, where the wolves and the owls keep their nightly vigils on their victims. Few townships in these states have had a stable population for more than twenty years, and a large majority of them have not yet permanent settlements—that is, of people young as well as old, who feel as though they had yet found their perpetual habitation, their continuing city. Is it a wonder then, that in the West there are more in proportion to the whole population who cannot read and write, fewer and inferior churches and school-houses, and a less number of books in their libraries, than in the East, where the population has been fixed for more than a century, and from whence the poor and the ignorant have been and still are immigrating to the West? New-England has not made so much progress in two centuries, as has the West during the last twenty-five years.

But the progress of Western society has been impeded by Eastern influence. The evil to which I refer, is not now so great as it has been in former times; I mean the land speculations which Eastern capitalists have made out of the poor of the West. In consequence of monopoly and extortion at the East, the stricken poor have fled hither with muscles strong enough, and hearts brave enough, to dare and endure any thing under the hope of being compensated by the dawn of a brighter day; but on arriving here in these wildernesses, where they had thought to escape the iron hand of avarice and monopoly, they find they have deceived themselves, and learn what they had not dreamed of before, the almost omnipresence and omnipotence of capital for evil, when wielded by selfish hands. Fifty years ago, all of which is called the Western Reserve was held by capitalists, principally of New-Haven,* Conn., who extorted from those hardy men and brave

* This is the residence of the Rev. N. Porter, who has recently protested against Western character and Western scholarship, and described many spectres of his imagination in the shape of demagogues and anti-Christs, that he fears will here arise to be-devil the people and bewilder the world. [*See the Biblical Repository, for January*, 1848.]

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women that dared the privations and dangers of a wilderness life, five dollars per acre for land, while equally good land can even now be procured for two dollars, and that, too, when the first cost to them was from five to fifty cents per acre. Not only so, but poor men, with their families, settled on the land of these speculators, and after paying all they could save from the labor of many years, were compelled, finally, to give up their hope and lose all. Throughout the whole West such speculations have impeded the progress of society. Lands have been entered in large tracts, and then retailed in lots, widely separated from each other, so as to enhance the value of the intervening portions. The effect of this has been to separate the settlers, so that they could enjoy together few or no social privileges—could have no schools nor churches.

And now, notwithstanding the fleecings which the Western poor have suffered at the hands of Eastern capitalists, the little which the East contributes to build academies, colleges and churches here, is claimed as the outpouring of benevolence, the unobligated contributions of men zealous for good. In reply, it may be said, that capital from the same quarter has constructed our canals and railroads, and thus sent to the farmer's door the boat and the car, to take away his produce; but to this it may be rejoined, that all capital thus expended meets a good dividend, and there is no claim for an offset on this score. The contributions which the West has received from the East, are, in this respect, like those which our country has recently made to Ireland. We call it benevolence, but in truth we have made money enough out of the Irish famine. Look at the immense quantities of produce that have been shipped thither during the last year, at an advanced price! We have not sent to Ireland and Scotland a million and a half in charity, while we have exported over 18,000,000 bushels of corn and 3,000,000 bushels of wheat more, in consequence of the starvation! Every eastern city and important manufacturing town owes its position to the resources of the West. Every cent, therefore, which they send for benevolent purposes, is better than so much stock in banks, for without standing any risk, it makes an annual return of a heavy per centum. Every school or church established, increases the virtue and knowledge of the people, thereby enabling them to develope more fully the resources of the West, which are the life-blood of the East. While, therefore, we would not have her think she does not get an ample return for her investments here, both in a material and spiritual point of view, we would not deny a proper gratitude for the favors thus bestowed.

But in spite of all the disadvantages under which the West has labored—the heterogeneous population, the poor and the ignorant, the unappreciating and the floating, the limited time she has had in which to develope her mental and physical resources, and the unsettled character of her population—she has, nevertheless, done more in this noble cause of universal education than the East has done during the same time. For instance, Ohio has twelve colleges, while Pennsylvania has only nine, and is a century and a half older; Missouri has seven colleges, while New-York has only the same number; Massachusetts and Illinois have four each; Maine and Michigan, two each; and New-Hampshire and Iowa have one each, while the former is one of the old thirteen, and the latter was born but yesterday. In theological seminaries, medical colleges and subordinate institutions of learning, the West can show an equally gratifying account. For instance, Ohio has five theological institutions, while Pennsylvania has only the same number, and New-York has but six. In academies, Michigan, which is yet a youth, can stand up with any eastern state, and challenge a comparison. And what city of the East can boast of as many medical colleges as Cincin-

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nati? Can Philadelphia, New-York or Boston, boast of three well supported medical colleges, and one for dental surgery? And in common school education, Boston, that model city, cannot present a more gratifying account than can Cincinnati: indeed, it is believed, that our schools are on as good a basis, and as thoroughly conducted, as are the schools of any city in the world. Chicago, too, which to an eastern man seems on the very verge of the West, is distinguished for a liberality in this noble enterprise, that few other communities can boast. What would the people of Connecticut do in the support of schools if they were thrown upon their own resources? She has more public school-money than she can expend; but if the people were compelled to pay tuition bills, as they are generally throughout the West, it is highly questionable whether all her sons and daughters would be educated. I leave it with those who know the Connecticut character to calculate for themselves the number of school-houses that would not fall into ruins were the school fund annihilated.

But it may be objected that our colleges are inferior, and unable to send forth a finished scholar. To this I answer, that the system of education which favors the development of the most truth, and gives most strength and expansion to the mind, is the best,—and he is the most accurate and faithful scholar who is most independent in his inquiries, and most illuminated by light from the higher sphere of spiritual life:—he, in short, is the best scholar, who is enabled to live the truest life. To settle the question whether Western colleges are a sham, and Western scholarship mere learned coxcombry, we must look at the respective practical results of the Eastern and Western systems of education. The writer referred to in the note above, in relation to Western education, says:

"Such reasonings, if they apply to any infant society, are not in the least appropriate to such a community as that of the West. Infancy is there but for a day. The child of this week is next week a giant; a giant in strength and self-confidence, though a child in culture and experience. The most dangerous and unmanageable of all infants, in our view, would be such as the one in whose hands Mr. Gullion once found himself, to his great affright—an infant of a few months, ten times as strong as he was, and as untaught as passionate, and as capricious as such an infant might be supposed to be. Such are likely to be many of those huge infants of the West, which are even now rushing up to manly strength and physical size, without the growth of the intellect and the heart, and who have the additional misfortune of being petted and flattered and spoiled by foolish nurses, in the shape of religious and political demagogues.

"All our fear is not, however, from the uneducated minds of the West. We have as much, and perhaps more, to fear from the minds that call themselves educated. It is the genius of the West in all things to be self-relying, hopeful, fearless; and, by a ready perversion, to become superficial, self-conceited, scornful, and destructive. There is danger that the scholars of the West will carry all these characteristics, even the worst of them, into the schools; will manifest them all in their studies, and will make them felt in the uses to which they apply their studies in actual life."

After looking at the results of Western education, the world will concede to us a full comparative discharge of our obligations in this brilliant field of benevolence. Besides the number of our colleges, seminaries, and academies, and the condition of our common schools, referred to above, we must credit her for the trophies she has brought to the temple of science, and the gems she has set in the galaxy of art. She has presented to the world one of the greatest of inventors. John Fitch first successfully applied steam power to the purpose of carriage, and mainly through the influence of his invention has the West put forth her power, as it were by

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enchantment, and the East extended her sway. And while she has given to the world one of the first of inventors, to her is also conceded one of the most profound astronomers. He is a Western man by birth, by education, and by feeling. He has refused a professorship in the first college of the East. He probably has not his superior as a teacher of astronomy and mathematics. In connection with this, the young and ignorant West has erected the best observatory in the Union, and supplied it with one of the best telescopes in the world. The West is also a patron of another brilliant science, and cherishes in her bosom one of the most distinguished of geologists. From the West arose also that great ornithologist, the enthusiastic Audubon; and she has more than half the right to the fame of Say, that industrious and critical conchologist, whose widow, also a devotee of the science, is now sheltered by a Western home. Neither in the cultivation of the beautiful is the West behind-hand. Cincinnati is, at present, the seat of the fine arts in America, and she fears no successful competition except from her sister cities. A Powers, a Clevinger, a Baker, and though last, not least in merit, a Jones, can meet in a contest of genius and skill all the sculptors of the long and highly-cultivated East, without fear of successful rivalry. The mere mention of these great sculptors is enough. In painting, we have as great, if not as many artists. There is a Kellogg, a Sontag, a Soult, the Frankensteins, a Beard, a Powell, and a Mrs. Spenser, whose productions, during a few years past, have been equal to any American works of art. In one of these names we have what the East, and, as far as I am advised, the world cannot, at present claim, a true lady artist, who is doing not a little for the distinction of her own name and the honor of her sex. Nor in oratory is the West without a name. A Corwin, the first of American popular orators, is thoroughly Western, and one of the talked-of for the Presidency. A Bates, too, though little known beyond the neighborhood of his far Western home, is also among the first of the orators of the republic. And though the West is denounced as infidel, the city of Cincinnati has secured as brilliant an array of pulpit orators as any city of the Union can boast. There is a Stetson, and a Purcell, a Magoon and a Boynton, a Perkins and a Parsons, a Rice and a Barrett, who are worthy of the best audiences that can be assembled in any part of the East.

If we look into the halls of our national legislature, we shall there see the West wielding her full share of influence, thereby showing that she is not deficient in those qualities which give power. It is the province of the greatest minds to govern. In the Senate Chamber, to which all parts of our country send their greatest minds, Missouri is represented by one who, "solitary and alone," commands more power over the public mind than any other man in the Union. The powerful are generally rendered so by drawing to themselves other individuals of strength, and by attaching all the influences which a politic management can control; but this man stands majestically aloof from others, and by his own energy and force of character is independently more powerful than any other. This man, though he has passed the most of his life in the political arena, has found time for qualifying himself for "vindicating history." In the Senate we have one, also, who can call down the lightning on the head of iniquity, and make the people see the blackened heavens and the disasters of that terrific storm which must follow great public crimes.

Let us also enter the hall of the United States Supreme Court; on that sublime judicial seat, though there are in fact nine persons, there seems to be "but one only man." Between him and his associates there is such a contrast that he seems to be the only judge. We at once acknowledge his

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greatness, and when we look into the volumes of his decisions we are not deceived. He, also, is one of the great talked-of for the Presidency; and he, too, is thoroughly a Western man.

I have not mentioned these things in a spirit of laudation, but for the purpose of illustrating the comparative efficacy of our system of education, which has been attacked as superficial, and its scholars as "self-conceited, scornful, and destructive." "By their fruits shall ye know them"—and such are some of the results of education at the West, which is yet in its infancy, as compared with the results of education at the East, which has been maturing for two centuries. It may be said that many of our distinguished men—our clergymen, for instance—were educated at the East; to which it is sufficient to reply, that the system of discipline which here prevails, has fitted the people for appreciating, patronising, and securing great men to lead them in council.

The respective systems of education of the East and West are:—1. In the West there is more self-reliance and less man-worship on the part of the scholars. They canvass the opinions of their fathers and teachers as freely as they would those of one another. Here they are thrown upon their own resources, and learn to go alone before they become greyheaded. They doff their swaddling clothes in good season; break from their mothers' arms, and keep clear of the bigot's clutches. The best that could be done with a large portion of the eastern youth, would be to send them to the West for discipline. They would soon learn their whereabouts in this world, and feel that they might be something for themselves, instead of nothing for the sake of their masters. 2. The Western system has no moulds in which to run the minds of her youth like lead—making them in fact leaden-brained. Positive knowledge is taught for mental developments, and each is left to form his own opinions in all matters of mere speculation, in which one man's is nearly as good as that of another. 3. There is freedom here of choice;—the poor scurvy boy can aspire to the first position, either in the pulpit, at the bar, or in the legislative halls; and if he is regarded with contempt by his playmates, who were born under more lucky stars, he can laugh at one side of his mouth, dismiss them with a snap of his fingers, and proudly challenge them to a contest for superiority. 4. The motto here is, BE SOMETHING;—be truly great, if you can, but at all events, be something. To this end all are free to excel, if possible, in mental efforts; but if not, they are at liberty to contend for the palm in a fair wrestle or fight with their fellow-students, or even their professors; but all these matters are accommodated without a positive break-down—and hence, riots and rebellions, resulting in disgrace and death, are confined to the East. If the student cannot arrive at the Q. E. D. in demonstrating a problem in Euclid, he can proceed as far as his patience will permit, and wind up by dashing down his chalk and offering to whip the professor and all his class. These things, if not often actually realized at the West, seem to illustrate the western principle under discussion, to wit: the personality, individuality and independency which each is here taught to feel. "I am something," is the moving spirit with all, except the intolerably dull; and, Be something, is an appeal, eloquently made to each and to all, attested by the vastness and richness of our domain, the grandeur of our lakes and rivers, the magnificence of our prairies, and the life, vigor and noble daring that pervades our brilliant pioneer history!

But the writer, quoted above, seems afraid of the practical results of such sentiments:—

"These scholars may not, and probably will not, shrink from any amount of intellectual toil; they will cheerfully address themselves to severe and long con-

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tinued labor. They will feel themselves adequate to grapple with any question, however intricate or high; when they have reached a conclusion, they will stand upon it, and wherever it carries they will go with it, and propagate it too; whether it is right or wrong, dangerous or salutary, a bearer of life or of death, they will enforce it with the utmost zeal and eloquence which they can command. There is danger, therefore, that Western scholars will decide rashly on questions of the gravest import; danger that they will decide after looking only at one side of the facts and truths which should be set over against the opposite argument. There is danger that in a moment they will leap to a conclusion which should require long and patient thought; there is danger that a little learning will turn their heads with the opinion that they are masters of all knowlege; there is danger that a little logic and some learning, with self-confident fluency in speech, will give them immense power for evil; and that here and there will arise a man, who, with great talents, and misdirected and ill-balanced study, shall draw after him crowds of admirers, and lead large masses of men in the way of evil. The questions about which these men are to concern themselves, may respect the foundations of society, the basis of property, the tenure of titles, the obligation of contracts; and half-educated demagogues, with brain intoxicated by a wild philosophy, may propagate doctrines that are the embodied spirit of anarchy. They may preach as wise and benevolent philosophy, what shall end in riot and murder. Or the questions may relate to practical ethics; and what can be more deadly than mistaken notions of duty, or positive principles of license, veiled in the specious robes of a shallow philosophy, or uttering falsehoods or half truths in the name of conscience and of God. They may censure the foundation truths of theology or scriptural interpretation; and what can be worse than fanaticism with its fire, or rationalism with its ice, backed by a parade of learning, and urged with great show of wisdom?"

To say nothing of the gross arrogance of this passage, the writer betrays a great want of confidence in truth, of faith in his fellow-man, and a deplorable ignorance concerning the rights of mind. Why, who else, in the American republic, dare deny to any individuals the right of feeling "themselves adequate to grapple with any question, however intricate or high?" Who knows the power of any one as well as he knows it himself? Who is authorised to say to another, thus far and no farther shalt thou go? The above passage is a fair representation of the spirit of the Eastern system of education, and shows something of the contrast it bears to the liberality and expansiveness of the Western system. The latter takes the youth by the hand, and after introducing him to nature, in her various moods and phases, bids him court her more and more, cultivate a closer acquaintance with her, seek for himself, and he shall find and judge for himself in all matters of philosophy and faith—no one else having any right to judge for him. On the contrary, the genius of the Eastern, which is the olden system, takes the youth by the collar, and introduces him first to the stocks and fits his dimensions to the strait-jacket, cut from the same pattern after which all others are made. He is then introduced to the president and professors, who sit in awful state, and give him to understand that he must exercise those faculties—veneration and reverence toward man, though he may have been taught by a heterodox father to exercise them only toward God, and those whose heads have grown gray in a long life of goodness. The next step is to lead him up and down the library hall, and inform him that he is in the presence of the "venerable dead, whom it will not answer to be ignorant of or to despise." Here he is to find a "presence that will purify and save." After he has pursued the prescribed routine of study, regardless of the wants of his particular mental organization, and become thoroughly laced with the stays of old opinion, his education is considered complete. There is now no danger of his becoming heretical by self-thought, for he is too cowardly to form an opinion without first consulting the doctors.

But dropping the contrast, it will be sufficient to remark, that at the West,

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a man of the nineteenth century is thought as capable of forming an opinion as was a man of the sixteenth century; that every one has a right to think for himself, and is bound to faithfully follow out the results of his thought—to go wheresoever they will lead; and that every one is bound to propagate what he believes to be true. Even the one from whom I have quoted, is supporting opinions on the ground of authority alone, which others have formed in times past by the exercise of the same freedom of inquiry which is claimed in the West, but the exercise of which he so much deplores. He wishes large libraries established to correct this tendency of the Western mind. Thus:—

"If our Western colleges are to be saved from being seats of disorganization and fanaticism, of rash speculation and heretical dogmatism, their libraries must be well furnished. Ancient wisdom must breathe from them its elevating and reverential spirit; it must speak its tones of cautious instruction, and there shall be a presence that shall purify and save. Every time the scholars go into the library and walk up and down its hall, they should be met by the presence of the venerable dead. Each time they go into the separate alcoves, each of which represents some single department of human knowledge, they should be made to feel that great men lived before them, whom it will not answer to be ignorant of or to despise."

They should be made to feel also that they may be great themselves—that they have personal identities, which it will not do to forget or to crucify. Our powers can only be developed by manifesting them in independent action; all the dusty volumes of antiquarian lore will not develope a single faculty which truly marks and makes the man.

This writer has charged Western scholars with self-conceit and scornfulness; the passages already quoted show how well he has described his own character in these respects.

He is fearful also that individuals will arise here and there, possessing much talent, great fluency of speech and more presumption, who will "jump to conclusions which would require long and patient thought," and lead the people astray; that they aim at the foundations of all existing institutions—yea, even at the basis of old theology. These apprehensions are characteristic of a certain class of thinkers, such as are found in every portion of the world; thinkers, or rather no-thinkers, who distrust their own thought, except when it is in the wake of gray philosophy, and scorn every new phrase of inquiry or mode of expression; in short, laugh at everything new in speculative research. These men seem wed to the idols of the past—so much so, that they oppose with the valor worthy of a good cause, every reform or change that is proposed, as though progress was not stamped on all creation, and as if every thing was perfected in the youth of the world. Hence, they are afraid of the influence of our system of education at the West, which acknowledges nothing as sacredly fixed which has ever passed under the scrutiny of thought. The fear of man, or of the truth, is not characteristic of our means of mental discipline. All error must eventually vanish, like the shadows of night before the sunlight of truth; consequently we fear no error, but on the contrary hold, that the more freely it is allowed to combat its foe, the more speedy will be the triumph of truth.

But a truce to this:—the principal point I wish to stand out concerning the relative positions of the East and the West is, that here is cherished the true spirit of independence and liberality; and with it the illiberal spirit of the East, which is characteristic of all old communities, is in conflict. Strong are the men and well-organized are the means that are enlisted with the latter spirit; and if there is any danger of a great wrong being done to humanity, it is that in a period of repose and conscious security they

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will triumph over the West, and, while they organize humanity here, under the guidance of approved masters, they will hush that melodious voice which here echoes from all nature, and whispers hope and redemption in the ear of the world. Eastern capital is buying up all our thoroughfares of travel, our canals and our railroads—is monopolizing our manufacturing sites, and entering our most promising lands; and under the theory of many philosophers, that influence and government must follow capital, we are doomed to become mentally subservient to the domination of Eastern doctors, as well as physically under the power of Eastern capital. But I have confidence in the more intelligible philosophy that here prevails, which teaches that no matter who has the wealth, it is mind that must govern:—

> "Mind, mind alone
> Hath light and hope, and life and power."

Here is the school where liberal and truthful statesmen are educated, as evidenced by the greater perfection of our constitutional law. Every new government that is here organized is an improvement on all former constitutions. The contrast between the constitutions of Iowa and Wisconsin, or of any of the Western states, and the constitutions of the East, is striking, and clearly indicates where the rights of man—the principles of human freedom—are best understood. Many liberal minds of the East see the errors that are inculcated by their organic laws, but it is in vain that anything is said concerning constitutional amendment. New-York did make some improvement in her recent convention, but the odious system of landlordry and the Western spirit that thunders in Niagara, produced the change.

Let, therefore, the West remain free. There is conservatism enough here to restrain all fanaticism, and here improvement can march along in harmony with decorum and good order. Here is the battle-field of progress to which the hopeful everywhere must look for encouragement. Here must eventually be the seat of learning and the home of art. True, we are young, and have much to do; but we can do rapidly and well. We need multitudes of good instructors, and we welcome, with open arms, those sent to us by the East; but they must Westernise themselves, and not expect to Easternise the West. We welcome all who come actuated by a good spirit—willing to be equals with us; but those from Eastern colleges, who are maddened by much learning, and expect an anti-democratic deference, must expect disappointment, until they find their proper level.

INFLUENCE OF THE TELEGRAPH UPON LITERATURE.

The Telegraph has ceased to be a wonder. Its astonishing exhibition of human skill no longer excites our admiration. The emotions which the actual display of its magical powers excited in the minds of all beholders—the speculations to which it gave rise among the philosophical—the indefinable visions of commercial advantage which crowded upon the scheming brain of the capitalist and the ignorant wonder of the vulgar, have all passed away, and given place to more practical considerations. And now, amid applications for patents and contracts for constructing lines and the setting up of telegraph offices all over the land, we beg to be excused if we step aside for a moment into an untrodden path, and indulge in a few reflections upon the influence which the Telegraph will have upon literature.

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We do not intend to speak of the universal diffusion of intelligence among the mass of the people, which every such great movement is calculated to promote—nor of the consequent increase in the number of those who will devote themselves to learning, and who will unite to lay the foundations of the great Republic of Letters in the West. We shall confine our remarks to a comparatively unimportant branch of the subject—its effect upon Style in Composition. Perhaps a slight sneer disfigures your pretty face, gentle reader, if you have one, at this paradoxical announcement. Perhaps you imagine that there is about as much connection between the two as there is between the shape of a cow's horn and the taste of her butter. We will try to cure you of that, and convince you that "there is something in it," as people say of animal magnetism or any other inexplicable wonder. We are to speak of its probable effect upon Style in Composition. That a great revolution is effecting in this department of literature, or rather that there is manifested a continual progressive tendency towards perfection, must be apparent to every careful observer. The complicated periods which were once so much in vogue—the sentence within sentence, armed with all the paraphernalia of comma, semicolon, colon and dash, and dragging their slow length over almost an entire page before the "full stop" put a period at once to their existence and the reader's perplexity—have been gradually disappearing—having either fallen to pieces from their own clumsy construction, or been shattered by the critic's hammer. The florid verbosity which characterised the *ore rotundo* style of Dr. Johnson; the polished sentences of Addison, whose smoothly gliding periods might almost have been set to music—have been gradually giving way to a more nervous and rhetorically perfect style. The human race seems ever on the march toward perfection in the use of the instruments which Providence has placed in its hands. At no period of his existence has the *material* appropriated to the use of man been so economically or skilfully employed as at present. Language is as important an auxiliary to man as the motive power of water or steam, the principles of mechanics, or the facilities which the locomotive or the Telegraph furnish. Language too, like the other great agents employed in his service, has been slowly yet certainly approaching the standard of perfection—becoming, in every succeeding generation, more surely and more readily the exponent of thought.

True, its onward march has often been retarded by the digressions of a false public taste. Often has it delighted to linger among the flowers of fancy, and encumber itself with a troublesome burden of useless trash, which a mistaken admiration hailed as the "graces of rhetoric." Often has it been beguiled from its direct course into some untrodden bye-path, at the beck of a name which happened to be, for a brief period, authority in the world of letters. This vain pursuit after imaginary excellence—this dallying by the way with unreal beauties, has hindered greatly the onward progress of language.

The high point at which it should aim, is this—*the communication of thought with the utmost* FACILITY *and* CLEARNESS, *united with the greatest possible* ELEGANCE *of style.* The first element of this perfection, facility of communication and clearness of thought, should *never* be sacrificed to beauty of style; and the second should *always* be, and *is* always in *good* writing, found in connection with the first. A writer may be forcible, nervous, powerful; he may be mighty to convince the judgment; but when he lacks grace to captivate the sensual ear, and elegance to charm and attract to a willing obedience, he fails in the great essential of all oratory, persuasion. But elegance alone, shorn of the other requisites of a finished style, is yet more inoperative. Beauty of language, unaccompanied with precision and

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clearness of thought, is not simply powerless—it becomes vapid, unmeaning, even ridiculous; like the fop who excites a smile from the very daintiness and elegance of his apparel, when it is unfortunately contrasted with his lack of energy and the muddiness of his ideas.

Yet perhaps we are making too nice a distinction between these two elements of literary excellence. We are not sure but that they may be found to be eventually the same in principle. May not perspicuity, clearness of thought and facility of communication, be the very perfection of elegance?—though it is often supposed to consist in finely-rounded periods of different lengths, arranged in alternate succession; or in harmonious sentences skilfully disposed. However this may be, (and we leave the question for critics to settle,) it is certain that the second element of which we have spoken cannot exist without the first—that genuine elegance of style—a beauty which is something more than tawdry finery—*cannot be* without precision and clearness.

Yet this separation has been attempted more than once in the progress of letters. More than once has a vitiated public taste, blindly following the impulse of some self-constituted authority, mistaken the true standard of literary perfection, and plunged headlong in the chase after some startling novelty—the fancy of an hour. It would be an interesting and a profitable task to trace the various extravagancies which have each in their turn played the Will-o'-the-Wisp to mislead the judgment of the literary public. Looking calmly back from our high stand in the middle of the nineteenth century, many of the great movements which once agitated the public mind—many dicta which were once as the oracles of fate, must needs present an *amusing* phase to the intelligent observer. Such a retrospect could not but be *profitable*, for the same extravagancies may be attempted yet again, and happy is he who gathers wisdom for the present from the lessons of the past.

But such a digression would lead us wide of our mark.

We said that the tendency of language is invariably toward the standard of perfection.

Strange as the assertion may seem, we declare that the Telegraph will contribute directly to the attainment of that end wherever it is used. At first view we wonder what connection a mere machine has with literature. At the second thought we recall the astonishing intellectual revolution which followed the invention of the printing press, and we blush at our forgetfulness.

The manner in which the Telegraph must operate for the improvement of language is this.

The Telegraph is necessarily an expensive method of communication; yet it offers facilities which are indispensable to the man of business in this driving age of the world. Costly as it is, it must be employed. Now the *desideratum* of the Telegraph—the great question most important to all who have any connection with it, is this—*How can the greatest amount of intelligence be communicated in the fewest words?* Is not this the very question which has been for centuries theoretically proposed by scholars as the ultimatum of language? Language is but the medium of thought—which flies as rapidly and acts as instantaneously as the invisible element which flashes along the Telegraphic wire. The more closely, then, that it follows the operation of thought, the more perfectly does it perform its office. Every useless ornament, every added grace which is not the very extreme of simplicity, is but a troublesome encumbrance.

Notice the operations of the mind in conversation. Observe how idea follows idea in such rapid succession, flitting so swiftly by that but few of them can be seized, and moulded into tangible form, even by the operation of that almost perfect instrument which the Creator has given to us for

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communication with our fellows. How much of the freshness and beauty of even these imperfect impressions evaporates in the slow and tedious process of committing them to writing. Especially is this the case where a vitiated public taste has introduced a style which wearies its complicated and prolix verbosity, or one so affectedly brilliant and antithetical that it requires the most minute analysis and laborious study to resolve its meaning. Now the certain effect of the Telegraph, as far as it has any influence upon the language, (and who at the present day will dare to estimate its possible influence in the future,) will be to introduce a style of writing which shall be, *first of all, brief.* Brevity, it is said, is the soul of wit; it is indeed the soul of all language, grave or gay, for every purpose to which it can be applied, except caricature. We never yet heard that tediousness was the soul of anything in particular. The Telegraphic style, as we shall denominate it, for the benefit of all future writers upon rhetoric, is also terse, condensed, expressive, sparing of expletives and utterly ignorant of synonyms. From its subject matter it has little to do with beauty or grace; but the all-important requisite in fine writing, perspicuity, cannot but be promoted by its prevalence. The first is a rare exotic, cultivated only in the gardens of the learned or the curious. The other is the hardy native plant, which is the very "staff of life" in the world of letters.

Let not the reader imagine that the influence of this invention is to be confined within the narrow precincts of the Telegraph office, or limited to the pen of the operator. When a half column or more of every paper in the Union is filled with Telegraphic despatches; when these reports form a large part of the daily reading of thousands; when correspondence is hourly prepared and revised, throughout the whole extent of the United States, with a view to telegraphic transmission, is it too much to expect that this invention will have an influence upon American literature; and that that influence will be marked and permanent, and withal salutary? We can very easily imagine that in course of time the register may be so much improved that the price of transmission will be materially lessened, and the great reason for brevity and concentration of style partially removed —but this is a thing only probable, by no means certain; and it is quite as probable that a long time must elapse before the present imperfect apparatus will be superceded by a more finished invention.

At all events it must ever be a consideration affecting men's pockets, and of course always operative. Telegraphic despatches will become more extended, more numerous, dealing more in details, yet regard must ever be had to the great principle of their construction; the cost of production must ever incline the balance toward economy, and the aim of the writer must ever be to interest, amuse, or instruct in the most concise and appropriate language of which he is master.

We would by no means be thought to undervalue the "graces of rhetoric," or to declare that beauty and finish of style is not an essential requisite in all good writing. No man in his senses would deny it. The idea with which we wish to impress the reader, is, that perspicuity, a quality of style infinitely more important than elegance, has been sadly neglected by many authors in times gone by; and that the invention of the Telegraph is one of those causes which are about to introduce a better state of things. In these days of Yankee enterprise and activity, we want no prosaic Johnsonism; we can tolerate no dainty euphuist. We have long since consigned to merited oblivion the endless train of harmonious and vapid authors that followed after him, who

—— "Lisped in numbers, for the numbers came."

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Even the polished periods of the graceful Spectator are banished to the shelves of a few philosophically-disposed old gentlemen who can find leisure to enjoy such antiquated pleasures in the quiet solitude of their own libraries, undisturbed by the turmoil and bustle of the great world surging past their doors. Shakspeare has only escaped a similar fate by that prophetical vision of the future public taste which he possessed, and the Yankee directness and concentration of his style. The glittering gems of thought, and the perfect models of composition which lie scattered about among the fragments of classic antiquity, are now only stirred from the slumber of ages, by the careless and unappreciating school boy.

Truly the present is rushing on like an arrow to its mark, scattering the venerable past to the winds. We are borne fleetly onward in the car of time—and as the invisible fluid, which may be, for ought we know, the secret of universal gravitation, flies backward and forward on its wiry track—tic, tic, tic—like the clicking of the escapement wheels of the universe—all that is great and memorable in the past grows dim in the distance, and fades away like the formless visions of the enchanter's magic circle—while before us rise like exhalations from the western wave the islands of the blessed—the isle of engines, where the human race are to live by machinery, and *flash* from point to point in polar magnetic chariots; where steam is to perform all the operations of thought; where springs of sarsaparilla and cholagogue, mingled with the elixir of perpetual youth, gush out of the rocks, and where the epitaph of the French infidel, death is but an eternal sleep, will be verified by the use of concentrated chloroform.

FOLLIES OF THE FACULTY.

(CONCLUDED.)

If the persecuted stomach could speak for itself, it would unquestionably revolt against the violent conduct of those princes of the pill, Moffatt, Morrison, and Brandreth. These abominable pills may do good in some instances, but we cannot but fear that it is succeeded too often by greater mischief in the end. How far gone towards insanity must a man become, before he can consent to submit his reason to the persuasion that the stomach was designed to be desecrated to a doctor's shop—a depot for pills!

Speaking of charms, we might mention the case of a silly old woman, who, according to Dr. Sigmond, applied for a remedy for an affection of the breast; a prescription was given her, and a few days after, she returned to offer her grateful thanks for the cure it had effected. Would it be believed that she merely tied said prescription round her neck! It is stated in Timb's *Popular Errors*, that the fourth book of the *Iliad* has often cured intermittent fevers in this way; the strength of the language no less than the warmth of action that pervades this portion of Homer's magnificent poem being such, that it was, on one occasion, *metaphorically* said to be sufficient to cure a sick man of the ague. Some sapient individuals not comprehending poetic tropes and figures, actually converted this saying into a grave reality. Serenus Sammonicus, a wiseacre in

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medicine, of olden time, ordered that for the relief of ague, this portion of the Greek muse enclosed in vellum, should be applied to the head; and cures are said to have resulted therefrom! A word or two touching '*barber-surgeons*'—a mongrel class, who stepped into the breach, when surgery was divorced from physic, in 1163, by Pope Alexander III., at the Council of Tours; the former duties being considered as incompatible with the holy offices of an ecclesiastic. These ambitious *shavers* did more honor to the butcher's skill than that of the chirurgeon: till at length, so licentious and reckless became their sanguinary proceedings, that their license to practice was withdrawn, and a regularly constituted faculty of surgeons to a considerable extent superseded them in 1355. These gentry have, however notwithstanding, continued to flourish in some obscure villages and corners of every country, down to our own day. A "decided case" in illustration, is the following. In one of the wars of Germany, an officer was carried to the hospital, with a leg shattered by a ball. As he was covered with blood, the surgeon, who was running from bed to bed, ordered amputation, and continued his round. A leg clotted over with gore, was laid hold of.—"What are you doing my friend?" exclaimed the officer, "that is my good leg." However, notwithstanding his protestations and entreaties, as there was a great deal to do, *the barber-surgeons cut it off!* The surgeon-major arrived with the bandages, perceived the mistake, and anxiously set about saving the wounded limb, which, with much difficulty, he effected: but the poor officer paid dearly for the officious and outrageous precipitation of the barber-surgeon. As a counterpart to this, we may as well recite the story of a *natural bone-setter.*

A man called to see Dr. Sweet, the famous bone-setter, at his hotel recently. He made his appearance on crutches, and was really suffering from the effects of a dislocated hip. The servants had great difficulty in getting him up stairs; and it was a truly painful sight to see him drag his aching limb after him. At last he reached the doctor's room, and in a few moments more was at full length on the bed, with the "nat'ral bone setter" tugging away at his leg. All was right; the joint with a tremendous crack soon found its place, and the sufferer was told to get up. He complied with the summons, first only to raise himself up and sit upon the side of the bed.

"Oh, doctor," he said, "it hurts dreadfully; but it's all right now, I s'pose."

"Yes," replied the doctor, with a smile of satisfaction.

"What might be the bill?"

"Well, I guess ten dollars."

"How long before I can walk?"

"You can walk now," said the doctor.

"Give me the crutches, then."

"You don't want your crutches," answered the doctor. "Get up and start into the hall."

"I can't."

"Try—you can."

At this the patient cautiously, and with a screwed up countenance, as if every moment expecting a twinge of pain, arose, and after one or two efforts, walked off quite as well as he ever did.

"There," said the doctor, "don't you see?—didn't I tell you you could walk? Go into the hall, and walk smartly up and down."

The patient obeyed; that is, he went into the hall—nay, he did more; he went down stairs and out of the door; and the doctor has never laid eyes upon him since.

The ten dollar fee is wanting, but the crutches are "thar."

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Bone-setting is regarded by verdant rustics as distinct from surgery, and as an affair on a level with farriery; as easily acquired, and susceptible of transmission from sire to son. Like the *barberous* surgeons, they too discarded all the rules and laws of science; ignorance and impudent assurance are ever twin attributes: but what is the modesty of true science? "You who are so skillful an anatomist, must have an excellent knowledge of all diseases," said a friend to M. Valpeau, the Parisian surgeon. "Ah! my dear sir," replied he, "in the Borvisaet, we are somewhat like the hackney coachmen—they have a good knowledge of all the streets, but know precious little of what is going on inside the houses."

The following anecdotes of Dieffenbach, the celebrated German surgeon, recently deceased,—are very characteristic and illustrative:

"He was a small man, with a high shrill voice, and nothing externally remarkable, except a pair of brilliant black eyes, and a good deal of style and dash in dress and equipages. His second passion was superb horses. His first was those terrible operations for which he was so celebrated. They relate numerous anecdotes, true or false. Among others, this—he one day saw a student in the street, with some unhappy excrescence growing out of his head or neck, and that glittering eye once fixed upon the poor fellow, it was not possible to escape. Dieffenbach addressed him, and proposed to operate for nothing. The man refused. He offered a bribe. In vain. He described the probable course of the deformity. It would lead to torments—to death perhaps. The student impatiently replied, 'when he felt the approach of those grave inconveniences, he would address himself to the operator—and not before.' Dieffenbach left him at length, and the young fellow returned to his books, pipe and lectures, laughing heartily at the perseverance of his formidable enemy, and congratulating himself upon a happy escape. But one morning, about day-break, a knock at the door announced, as the sleeper supposed, the *Stiefelputzer*, (the boot-cleaner) who usually came at that hour. He rose, unlocked the door—and lo! Dieffenbach stood before him, with those supernatural eyes—and four stout medical students at his back.

"'We have come to operate upon you!'

"'No! *Donner Wetter!*' cried the student.

"The surgeon made a sign. The subject was thrown upon the bed, and held there by firm force. He had scarcely time to express his sense of this treatment, by certain German exclamations, when his frightful infirmity was whisked off of him, and he lay a month or two in bed, recovering from the effects. He did recover, however, completely; and the students (the subordinate demons of this diabolical drama) declare the ungrateful dog was no sooner on his legs again—a corrected, a mended man—than he went and sued his benefactor, and recovered heavy damages.

"Another person had a protuberance upon the end of his tongue. Up to a certain day, the history is the same as the preceding. On that day Dieffenbach having received a final, angry negative to all his prayers and remonstrances, requested at least one farewell look at the beautiful object of his desires. The unsuspecting patient put out his tongue, and, in the twinkling of an eye, there was a needle through it, about half a foot long, retaining it immoveably in its place, and cutting short all expressions of disapprobation and ineffectual arguments. The happy artist now had everything his own way. And what his own way was, I leave you to imagine!

But, although our subject is by no means exhausted, yet as we begin to suspect the reader's patience may be notwithstanding, and as some of the parties who have afforded us amusement, may possibly be in the condition of a certain Hibernian, who, in reply to the enquiry, whether he was dead, after a fall, exclaimed, "*No faith, not dead, but spachless:*"—we shall at once hasten to close up our rambling theme. Before alluding, in conclusion, to the more recent innovations in medicine of our own times, we may just state, that there are several classes of curiosities we

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have to leave unnoticed; such as those who used to consult the agency of the evil one, in unlawful cures; those who prefer killing themselves to paying the doctors for the deed; those who, by the disgusting habit of *spitting*,—an outrage upon common decency—destroy their health, and invite disease; others,—the wiser by far,—who by sober attention to, and respect for the claims of the animal economy, throw 'physic to the dogs,' as some one has said, and survive the doctor himself.

In a recent number of *Dr. Lawson's Medical Journal*, we encounter another curiosity of the medical profession: it has also the authority of a cotemporary case. It appears there is in Arkansas a doctor, who practices medicine upon an entirely new system—called the *te-to-tum system*. He employs an instrument with eight sides, similar to the toy used by children, and known as the te-to-tum, only larger in size, and differently lettered. On each side of the octagon is a letter of the alphabet, designed to represent a certain thing—as, for example, V. for vomit, G. for glister, P. for purge, C. for calomel, &c. Whenever this worthy is called to see a patient, he takes with him this wonder-working instrument, and without examining either the pulse or the tongue, or asking any questions, proceeds to spin it as one would a te-to-tum, and administers according to its revelations. Thus, if V. is turned up, he forthwith declares that an emetic is indispensable; if C. the calomel must be given, and so on.

The success which has attended this new plan of practice, we are told is astonishing, and the popularity of its author unbounded; so much so, as to cast homœpathy, hydropathy, and Eclectic-Thompsonianism completely in the shade: leaving "tom-foolery" alone triumphant.

We find it stated in one of our western papers, that a certain professor of Oberlin has lately gone through a regular course of typhus fever, and recovered without the aid of any medicine or stimulus whatever. It is said that for fourteen days he tasted of nothing but cold water.

We have heard of the case of two men, both sick of the cholera; one drank a pint of whiskey after the doctors had given him up, and recovered; the other imitated his example, and was placed among the dead within six hours.

In face of the foregoing array of citations and indictments, lest any one should yet need confirmation, we quote the following "confession of judgment," by sundry doctors themselves, as given in Pinney's work on the "Organs of Life," which extract we cut from a recent number of the *New-York Evening Post*.

Dr. Akenside, himself a physician, has said, "Physicians, in despair of making medicine a science, have agreed to convert it into a trade." Sir Anthony Carlisle said, "that medicine was an art founded in conjecture and improved by murder; that he never could discover any rational principle in a physician's treatment of a case, and that, therefore, it was all guesswork." The late Professor Gregory used often to declare, in his class-room, "that ninety-nine out of one hundred medical facts were so many medical lies; and that medical doctrines were, for the most part, little better than stark, staring nonsense." The late Dr. Hooper remarks in his writings, "Medicine is now defined the art of preventing and treating diseases, but formerly it was called the art of preserving health and curing diseases. The word cure is not used at present, because we possess no remedy capable of effecting an immediate cure. There is a great difference between treatment and cure, as many diseases are incurable, but are still proper subjects for treatment." It has often been objected to the physician or practitioner that he is unable satisfactorily to explain the performance of a single function, the phenomena of a single disease, or the operation of a single remedy. However humiliating the admission of such a truth may be, it cannot wholly be denied. But fully to account for the performance of one function would be nearly paramount to the

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explanation of all, for all are governed by the same general laws, and subject to the same general causes. We are told by the ingenious John Brown, that he "wasted more than twenty years in learning, teaching, and diligently scrutinizing every part of medicine." The first five passed away in hearing others, studying what he had heard, implicitly believing it, and entering upon the possession as a rich and valuable inheritance. His mode of employment the next five years was to explain more clearly the several particulars, to refine and give them a nicer polish. During the next equal space of time, because no part of it had succeeded to his mind, he became cold upon the subject, and, with many eminent men, even with the vulgar themselves, began to deplore the healing art as altogether uncertain and incomprehensible. Majendie, whose opinion is considered of much weight in Paris, says, "Consider for a moment the state in which medicine exists in the present day. Visit the different hospitals, and you will not fail to observe how physicians are divided between the most opposite systems, on the nature, on the seat, and even on the treatment of the most simple disease; yet each of those systems is supported by arguments more or less specious: each theory is based upon facts more or less certain."

In coming to a conclusion, therefore, we ask to what cause shall we attribute the past, and even the present anomalous condition of medical science, if not to the inefficiency of its professors, or rather practitioners. The following statistics show the discrepancy of our present system of medical tuition, compared with that of the old world:

"In Austria, before commencing the study of medicine, the pupil must have attended the primary schools four years, spent six years in the gymnasia, (which correspond to our grammar schools,) and two under the Faculty of Philosophy, learning Greek, Latin, Mathematics, Astronomy, History and Modern languages, and have obtained a certificate of proficiency in all these branches. In *Bavaria*, after the ordinary collegiate education, two years are devoted to preparatory studies, including logic, physic, botany, natural history, mineralogy, and chemistry, and a satisfactory examination on all these subjects must be passed. In *Paris*, before a young man can enter upon his medical studies, he must have graduated both in the arts and sciences; that is, he must have studied and passed an examination on all the branches just enumerated, except botany, chemistry, and mineralogy, the two former of which are comprised in the medical course proper. In the *United States* alone, of all civilized countries, the student enters the halls of medicine without the requisite test of his fitness for the studies he is about to undertake, without one word of inquiry regarding his previous education. Whether he comes from the academic shades of Charlottesville or New-Haven, or from a mechanical trade, or from agricultural labor, he occupies the same seat, listens to the same lectures, and is submitted to the same final test of his professional attainments. How is it possible that one invariable system of instruction should be suitable for individuals so different in their capacity to understand and profit by it, or how can it be expected that they should obtain anything approaching to an equality of practical skill?

"After all the preparatory study we have described, what term of attendance on medical lectures is required of European students? In Austria and France *fifty* months; in Prussia and the secondary states of Germany, *forty* months; in Great Britain and Ireland, *twenty-four* months; while in the United States, we undertake to produce a competent physician in EIGHT months, or one-third of the time deemed necessary by the lowest limit of the European schools!"

It seems to be usually less a matter of ambition with medical students to obtain a thorough induction into the theory and practice of their art, than to secure the distinction of too frequently an undeserved diploma, and the coveted monogram of M. D. attached to their names, as a passport to practice upon poor old women and children, who pay with their precious vitality for their inexcusable folly and cupidity. We are not alone in these remarks: witness the following sentences from the eloquent address of Dr. Francis, recently delivered in our city:

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"That ignorance of the laws of life, of the rules of health, and of the remedial powers of medicinal substances, prevails to a wonderful degree, even in exalted places, is an incontrovertible position; and hence the innumerable calamities which popular delusion in the curative art entails. Most unfortunate for its victims, like fraud in fiscal concerns, it has a wider influence in its effects than with the immediate objects with whom it traffics. Its dire malignity is often extended through a large circle of the unconscious and unsuspecting. * * * *

"And on the other hand there are instances of noble and touching fortitude, of sublime patience, and of heavenly faith, which every medical man that deserves the name must treasure as among the richest lessons of his life. Who that has kept vigils at the couch of Genius, and marked the wayward flickerings of its sacred fire, made yet more etherial by disease, or seen beauty grow almost supernatural in the embrace of pain, and has not felt his mission to be holy as well as responsible? And when a voice that has thrilled millions is hushed, or a mind upon which rests the cares of a nation is prostrated, who has not realized how intimately the healing art is knit into the vast and complex web of human society? Let not that be thought a light office which summons us to minister, as apostles of science, to the greatest exigencies of life; to cheer the soul under the acute sufferings of maternity, and alleviate the decay of nature; to watch over the glimmering dawn and the fading twilight of existence; to stand beside the mother, whose sobs are hushed that the departure of her first-born may be undisturbed; and be oracles at the bedside of the reverend minister of holy truth, the halo of whose piety softens, on his brow, the lines of mortal agony. What a mastery of self! What requisites, mental and corporeal, are demanded in him who is the observer of scenes like these, whose sympathies are awakened to services such as are befitting the mighty crisis, and whose talents are efficiently enlisted for the triumphant accomplishment of his devout trust! The advent of such an ambassador, when his calling is duly understood, must awaken the heart to its profoundest depths, and cannot be inoperative upon minds of intellectual and moral culture."

A word or two in conclusion, regarding the modern systems of Homœpathy and Hydropathy, both which are, as might have been anticipated, obnoxious to the advocates of the old system of Allopathy. The Hahnemannian theory, however, now numbers among its supporters many intelligent and philosophic minds, although the infinitesimal reduction of its doses, to the millionth, billionth, and trillionth part of a grain, is more than enough to stagger the belief of those who have been accustomed to solutions by the pail-full, and powders in any quantity.

The principle of the Homœpathists is founded in truth and reason, but its administrators require to be well skilled in its doctrines, as their remedial agents include many of the most subtle and powerful poisons. We go for Homoepathy on account of its modest inflictions upon the poor afflicted patient, who, in appealing to the old system, has often as much to abide in his shattered corporiety from the attacks of the curative process, as from the original disease. The logic of the following may be questioned, but it is of course intended as a sarcasm:

> "The homœpathic system, sir, just suits me to a tittle,
> It proves of physic, any how, you cannot take too little;
> If it be good in all complaints to take a dose so small,
> It surely must be better still, to take no dose at all."

There is only one suggestion we have to offer in this connection—it is this: ought not the homœpathic practitioners to regulate their fees in the ratio of their doses? The science of cold water, if the phrase be admissible, is rapidly extending its popularity among us. It is true, we have no establishment to compare with that of the learned discoverer of hydropathy, Preisnitz; but the system is daily gaining favor with the reflective and thoughtful. It ought to include the great army of tee-total

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temperance folks—they go for cold water *internally*, the hydropathist, *externally*, with the addition, it is true, of any quantity of blankets and wet sheets. Of mesmerism, and its application to nervous and neuralgic diseases, we shall not pause to speak. The blessings of the newly discovered *Chloroform* have been so fully expatiated upon by every body, that we shall simply give the reader a taste of one of these expositions in a kind of mock heroic verse, cut from a recent English paper:

"Take but a snuff at this essence anæsthetical,
Dropp'd upon a handkerchief, or bit of sponge,
And on your eyelids 'twill clap a seal hermetical,
And your senses in a trance that instant plunge.

"Then you may be pinch'd and punctured, bump'd and thump'd, and whack'd about,
Scotch'd, and scored, and lacerated, cauterised, and hack'd about;
And though tender as a chick—a Sybarite for queasiness—
Flay'd alive, unconscious of a feeling of uneasiness.

"Celsus will witness our debt chirurgeous presently,
Manage operations as he said they should;
Doing them safely, and speedily, and *pleasantly*,
Just as if the body were a log of wood.

"Teeth, instead of being drawn with agonies immeasurable,
Now will be extracted with sensations rather pleasurable,
Chloroform will render quite agreeable the parting with
Any useless member the patient has been smarting with."

An instance of the disadvantages of this anæsthetical agent, is seen in the following incident, which occurred recently at Taunton Hospital, when, as a patient was undergoing amputation of a limb while influenced by chloroform, the nurse let fall the bottle containing the gas, which quickly spread its somniferous effects over the operators, and some time elapsed before they recovered from their partial insensibility.

We believe that good is to result, both to medical science and to society at large, from these important new auxiliaries in surgical art; not only as expedients for annihilating suffering, but also from their sanative effect upon life itself, since many a painful operation will now be willingly submitted to, which otherwise would have proved appalling if not impracticable. Like most previous accessions to our stores of valuable knowledge, the adoption of this destroyer of pain has had to encounter the absurd prejudices of men of bigotry and prejudice—a course of procedure evincing about as much wisdom as did the Irish physician, who, on a post-mortem examination, declared that "the deceased was so ill, *originally*, that if he had not been murdered, he must have died half an hour before!" But, in taking our leave of the doctors, and all their peccadilloes, we must at least do them the justice to admit, that, with all their ingenuity in killing or curing, they certainly do not regard human life with such utter indifference as our military chieftains evince on the field of action, nor do the former share with them the applause of the multitude for the heroic deed. The celebrated Zimmerman went from Hanover to attend Frederick the Great, in his last illness. One day the king said to him, "You have, I presume, sir, helped many a man into another world?" This was rather a bitter pill for the doctor; but the dose he gave the king in return, was a judicious mixture of truth and flattery:—"Not so many as your majesty, not with so much honor to myself.'

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THE ADVENTURES OF CHRISTOPHER COLUMBUS;

A SEQUEL TO BOABDIL'S DEPARTURE FROM GRANADA.

CANTO FOURTH.

ADMINISTRATION OF DON BARTHOLOMEW IN THE ISLAND OF HISPANIOLA, DURING THE ABSENCE OF THE VICEROY.

We turn us to an islet sweet,
  Lashed by the briny sea,
Where motley men in contest fierce
  Strove each for victory.

San Cristoval's fortress strong, you know
  Had its gold mine risen near:
Soon on Ozema's limpid stream
  Did San Domingo's rear.

Those strong holds manned, Bartholomew
  Had roved to Xaragua,
A blooming province, spreading west,
  Not yet beneath his sway.

Behechio mild, its cacique reigned,
  Of goodly savage fame,
Whose loving sister blest his home,
  A lovely Indian dame.

Of brave Caonabo she'd lived
  The bride—and queen of grace;
Of beauty, wit, and gentleness—
  They hailed her through the place

Her Indian name, *Anacbona*,
  It rendered, *Golden Flower*—
Fraternal love her shelter'd proved,
  Since fallen her consort's power.

Of stature tall, and nobly formed,
  Its natives roved that land,
Their elocution clear, and smooth,
  Their manner, sweet and bland.

'Twas there that Hayti's Indians dreamed,
  Blest souls were made to stray,
Within the vale, (their *Paradise*)—
  By the Lake of Xaragua.

On—on marched Don Bartholomew,
  To blessed Xaragua;
Heading a gay and warlike band,
  Which made a bright display—

Of cavalry, and banners fair,
  With stirring trump and drum:
Behechio gathering numerous force,
  To meet them soon did come.

But gentle strangers wandered they,
  To courteous visit pay;
The cacique then his troops dismissed—
  On to his town led way—

Rising by Bay of Leagon,—
  Soon from its bounds there beamed
A train of youthful virgins sweet,
  To Spaniards greet it seemed.

Traditional ballads chaunted they
  So sweetly as they danced,
With each a palm branch in her hand,
  As slowly they advanced:

Then, to the Governor drawing nigh,
  They knelt them gently down,
And at his feet her palm branch each
  Laid low—his heart was won!

Then last there came a litter light—
  From forth it—oh! how fair
Was that divinest Indian Queen,
  That down alighted there!

Her shining hair's luxuriance
  A blushing wreath had bound—
Of dazzling rays her heavenly orbs—
  Her smile, that witcheries crowned.

A glowing robe, of various dyes,
  Her stately form enshrined;
Her lovely, rounded, naked arms
  Sweet flow'rets too had twined.

The liquid accents of her voice
  The air then gently stirred;
On the listener's ear it softly stole,
  As warblings of a bird,

A mingled grace and majesty
  Her queen-like mien expressed;
The second Colon's port so grand
  She marked, and him addressed.

And now for several joyous days,
  Was entertainment made
For guests so high, with dance and song,
  And games in pleasant shade.

Such tribute good those Indians gave,
  A summoned caraval
Bore off those stores, so precious then,
  Which pleased the Spaniards well.

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How marvelled they, the beings wild,
At wonders when displayed,
Of that most beauteous miracle,
In mast and sail arrayed.

The cacique boldly sought the ship—
With *Golden Flower*—and suite;
With Lynxes' eyes they keenly gazed—
'Twas monster most complete!

When burst upon the startled air,
The cannon's thundering sound,
The *Golden Flower* the sea had sought,
And surely had been drowned,

Had not, with gentle force, her host
Her perilous leap delayed:
The anchor weighed—then sails were set,
And martial music made.

Thus joyed those beings innocent—
The factions all uncurbed,
Which racked a portion of their isle,
Their peace had ne'er disturbed.

It shocks me now, a tale to tell
Of the foul ingratitude,
Of one who, from a low estate,
With power had been endued.

Yes! o'er the isle, a high command,
He from the Viceroy held,
Yet now, vile Roldan up arose,
And shamelessly rebelled.

The Viceroy's rule, he cried, was o'er—
His haughty brothers there,
No titles from the Court held they;—
The two would they ensnare,

And *he* the island's chief would reign:
Some shouted—"live the King!"
But at the juncture ships there came,
Confirming each high thing.

The sovereigns granted Colon great,
Ere parted he from Spain;
So, Don Bartholomew, evermore,
Should Adelantado reign.

All blasted thus, the villains's scheme,
Who fled to Xaragua,
With horde of restless spirits fierce,
That loved his lawless sway.

And now, the Indians, unsubdued,
Detested faces white:
The caciques plotted treachery,—
The governor armed for fight.

The hamlets glowed in flames apace!
To mountain's red-skins fled!
Of caciques, some were ta'en there,—
Each thought to lose his head.

Oh! welcome came the Admiral then,
From off his arduous sail,
No rest knew he—his brothers worn
Recounting such sad tale.

Columbus soon he issued forth,
A proclamation stern;
His brother's course approving well,
It the rebels charged to turn.

His offers fair with arrogance,
And scorn, did all reject;
The Viceroy aimed a force to raise,
That might this horde subject.

Alas! in vain—each soldier there,
With them a friend had he:
So only note was sent to Spain,
Of their infidelity.

Of Don Bartholomew's career,
They loudly all complained;
The Viceroy tried the lenient,
Advantage none he gained.

And now from Spain advices came,
They shed a chilling away;
'Twas Bishop Fonseca them penned,
His enemy for aye.

They answered his unvarnished tale
Of that rebellion, sad;
"The matter shall be duly searched:"
And ah! no balm they had!

Oh! poor Columbus! circled now
By rebels all around!
For soon was e'en his trustiest band
With *such* in treaty found.

Concordance was he forced to make,
With those seditious men:
Who sore oppressed the Indian race:
It suffered sadly then!

YEAR 1499.

Suddenly, on the western coast,
Had ships to anchor come,
With wild Ojeda in command,—
Who dearly loved to roam.

The charts of Colon, shown in Spain,
By Bishop Fonseca;
Had he adopted,—sought the coast,
And Gulf, of Paria.

Now to the sovereigns all unknown,
Was this clandestine game:
Vesputius, in that squadron sailed,
Who gave our world his name.

Foul wrong 'twas to Columbus great,
That navigator grand,
Who sailed across a deep unknown,
And found our blessed land,—

His noble name, that *he stamped not*,
Upon our noble world!
By *us* the paltry Florentines,
Should *yet* away be hurled!

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Now had those gay adventurers,
  Skimmed Paria's Gulf around,
And trafficked much for pearls and gold,
  At th' isles adjacent found.

They, of the Carib natives too,
  Had captives ta'en to sell;
At Hispaniola, now they'd touched,
  There to outfit them well,

For home-bound voyage, with needed stores,
  These reft from Xaragua,
The Viceroy staid they not to greet,
  But straight-way steered away.

Fresh clouds all dark, encompassed now,
  The head of that Viceroy,
Whom, cavaliers of noble birth,
  Were plotting to destroy.

With him they vowed should Roldan fall—
  Whose sway caused bitter grief—
These bold conspirators were ta'en,
  With Moxica their chief.

This cavalier, the Viceroy doomed
  To die a felon's death;
Who, bold in war, yet dastard proved,
  When called to yield his breath.

Pale fear that vigorous blow inspired!
  To lovely Xaragua,
The remnant fleeing, Colon thought
  To know a happy day.

And now to Paria's coast again,
  To sail he deemed,—its streams
To search for hidden pearly wealth,—
  Illusive all those dreams!

For at Hispania's court, the while,
  Were his oppressors rife,
To work his down-fall plotted they,—
  Perchance to lose him life.

The ruffians, all disorderly,
  By Colon driven away;
There thronged the King,—as forth he rode,
  And clamored for their pay.

And subtile, wily monks, the while,
  Poured in the sovereigns' ears,
The fell disasters, Colon's reign
  Had wrought their cavaliers.

The ever-falling crystal drops
  The rock will wear away!
E'en Isabella's trustful mind,
  Dreaded at length his sway.

Commissioner to the Isle they'd speed,—
  The Isle by factions torn,
Of court—an officer of rank,—
  And Spanish subject born,—

Was he, Don Bobadilla—now
  This office grave to fill;
At San Domingo anchored he,
  At moment fraught with ill.

Don Moxica his doom had met,
  With some five rebels more;
And others there, in durance lay,
  Whose lives would soon be o'er.

First sight by Bobadilla spied,
  On fair Ozema's bank,
Was gibbets twain—suspending those,
  The forms of men of rank.

The Viceroy's fate, decided he,
  Ere well he'd landed down;
But Colon, with Bartholomew,
  Was absent from the town.

A proclamation issued he,
  At door of holy church,
Showing commission good he held,
  All factions deep to search.

First, summoning Don Diego mild,
  To yield his prisoners o'er,—
Who'd yield them not, till won consent
  From Colon, still afar.

So Bobadilla called his crew,
  And burst that prison door,
As Don Diego, bold, refused
  To yield those prisoners o'er.

The shoulders of a mob their throne,
  The rebels issued out,
And off in triumph were they borne,
  Amid a deafening shout.

Thus entered into office, then,
  Don Bobadilla—there
Within the Viceroy's home he dwelt,
  And shamelessly did dare,

His jewels, plate, and gold, to seize—
  His books, and papers, too,
As they had confiscated been,
  Oh! he was all untrue!

Now Colon in Conception's Fort,
  Within the Vega, heard
These high proceedings—light he recked,
  No pulse of his was stirred.

He traced the tyrant hasty line,
  A sharp return it gained,—
By sovereigns high, a mandate signed,—
  Oh! very much it pained!

A blind obedience must he pay
  The hests of th' iron man,
In all things that he should demand,—
  'Twas thus the contents ran.

Colon at once, with loyal mind,
  He yielded at that word:—
To San Domingo straight he hied,
  Where soon, full soon, he heard,

Rough fetters girt Diego's form,—
  And soon, full soon, there came
An order from the man of power,
  T' inthrall *his* noble frame.

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Men, circling, gazed with faces pale,
Where grief and shame were blent,
As he yielded to the harsh command,
With looks all heavenward bent!

Now, at his elder brother's call,
Came Don Bartholomew;
His vigorous hands, with iron bands,
Were soon encircled too.

Proud Bobadilla saw they not,
Nor did each other see,
Knew not the charge against them made,
Nor what of them, would he.

With miscreants San Domingo swarmed,
From gibbet and from jail;
Each felon by the brothers awed,
Wove his malicious tale.

Upon a day, to dungeon dark,
Of that sad Viceroy, came
An emissary, clerical,
Villejo was his name.

A guard encircling, Colon deemed,
Too sure, his hour was come,—
And said, "Villejo, bear'st thou me
To meet my final doom?"

Villejo, who though serving well,
Fonseca,—Bishop vile!
Yet owned a high chivalric soul,
Replied with courteous smile:

"Embarks your Excellency high,
With me, to part, for Spain?"
As forth they passed, the rabble's shouts
Were heard, alas! with pain.

A bark from that sad, ingrate isle,
Of a sweet autumnal day,
Then bore that reverend, noble form,
As culprit's bound, away!

Villejo, with a deep respect,
Did Colon reverence;
At once his fetters he'd removed,
Would he have had them thence.

"No," proudly spake he,—"word had I
To bow me, silently,
To aught that Babadilla willed,—
I'll wear them o'er the sea!"

As touched, his foot, her pebbled shore,—
At clank of his iron chain,
One loud, indignant cry, there burst,
Throughout the whole of Spain!

What e'er his lapse, it mattered not,—
In *chains* should he be hurled,
From forth that fair, that splendid realm,
He'd added *to* the world?

And when to court of Spain he'd come,
In felon's garb arrayed.
His form bent low,—his locks as snow,
By toils and troubles made;—

Forth welled Queen Isabella's tears:—
Columbus, scorn, and pain,
Had borne unflinching—*now* his woes
No more could be restrain.

Low on his knees he sank him down,
And cried,—with bitter moan,—
"Oh! sovereigns! thus I've been repaid,
For all that I have done!"

As streamed his tears, o'er furrowed cheeks,
The sovereigns raised him there;
And kindly sympathy expressed,—
Seeming his griefs to share.

False Bobadilla would they hurl,
From out his office high;
And Colon they would place in state,
Before the public eye,

In all his power and dignities;
And well he'd be repaid
For all his loss of worldly wealth,—
Which should be fully weighed.

Columbus, then believed, be sure,
In triumph back he'd go,
To th' island he so late had left,
All deeply plunged in woe.

But, oh! his hopes,—low, low—they fell,
Fresh evils would ensue,
Did he at once return him there,
Within the rebels' view.

A measure wise 'twould be, to yield
Their passions space to cool;
Another would the court dispatch,
Till Colon could have rule.

So spake the King,—Columbus schooled
His mind, to know content,
When to another's sway he'd see,
His sovereign power lent.

The grandee,—now the rein to take
From Bobadilla's hand,—
Don Nicholas D'Ovando.—sure
Would well o'er rule that land.

To *rank by right of birth he came,*—
And courtier bland could be:
With beard of sanguinary hue,
Effeminate frame had he.

But ere embarked Ovando high,
Unnumbered rumors rose,
Of th' isles despotic government,—
Of wretched red men's woes,—

Compassed by Bobadilla's strain
T' amass a hoard of gold:
The natives toiled to delve their mines,
In miseries untold.

To whites he lawless license gave;—
And most acute the pain,
They wrought those poor defenceless ones;
All, would be cured amain,

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When Don Ovando there should sway:
  Then, for the Admiral too,
A resident agent *there* should dwell,
  To gather up his due.

A freedom now was given to pass
  The negro,—born in Spain,—
To their new, troublous world, afar;
  See, *outlined, first,*—the *stain*

Which foully blots our shining page:
  Oh! *Liberty,*—can we
Shout forth thy thrilling, glorious name,
  Our ebon-ones not free!!!

The fleet that should Ovando bear,
  His distant realm to sway,
Was greatest far, that yet had sailed,
  To the new-world away.

A brilliant retinue had he,
  With body-guard of horse;
Such style was that allowed to *rank,*—
  And *subject born,*—of course.

Columbus, then he rested him,
  In old Granada's town:
Well pleased, be sure, the crafty King,
  To hold thus safely down,

That towering one,—who strove once more,
  To yield him service true;
Another voyage would he make,
  And gave the court his view.

Essayed, had many a seaman good,
  To reach the Indian clime,
By circling round the Cape Good Hope—
  And each had failed each time—

Till bold de Gama made the feat—
  Who'd gained his shore again,
With Eastern treasures laden well,—
  His fame rang on to Spain.

The savage world, developed late
  By our great Admiral,
Scant store, as yet, of gold had shed—
  That voyage on Portugal—

Immediate wealth, and vast, had poured—
  Great Colon's bosom fired,
And he, to find a facile route
  To India old, desired.

He mused—a strait should pass where lies
  The Isthmus Darien!
Still rose the orient realm to him,
  As land he'd *westward* seen:

Such land he deemed far *west* must stretch,
  Could there this channel be,
From the *Caribbean* passing on
  To join the *Indian Sea*—

The new-found world at once 'twould link,
  With richest olden part;
This dream made throb, as if in youth,
  His still fresh, glowing heart.

The sovereigns promptly yielded him
  Permission there to sail—
His courtly, priestly enemies,
  No *more could they prevail.*

[TO BE CONTINUED.]

FRONTIER LIFE.*

If we were called upon to describe the characteristics of the popular literature of the day, we would arrange it in three distinct classes: The Tepid—indulged in by young ladies of both sexes, whose Pegasus is a rocking chair; also much affected by the victims of a "green-eyed" Philanthropy, who only rise above mild platitudes, when urged into virulence by the violence of their complaint; the Pyrotechnic, originally introduced, we believe, by a London auctioneer, and worthy alone of the knights of the hammer and advertisement. As Shelley, to be properly appreciated, should be read by the side of a murmuring stream, so should the works of this class be studied before the foot-lights, amid an accompaniment of blue fire, the gnashings of angry trumpets, and the shrill spittings of shrewish fifes.

*Old Hicks the Guide; or Adventures in the Camanche Country, in Search of a Gold Mine. By C. W. Webber, author of "Jack Long, or a Shot in the Eye." New-York, Harper & Brothers.

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Then, there is the Romantic school, enveloping immorality and sensuality in cachemire; clothing virtue in rags, and mingling charlatan honors with frippery and sentiment, in a strange jumble, yet preserving an under current of philanthropy and cant. We do not wonder that our artists receive commissions for the portraits of the heroes of the French school, nor are we surprised that Eugene Sue should decline to gratify the curiosity of his admirers. It is better for all parties that the delusion should be preserved—that the inventors of such thrilling, human *diablerie* should be regarded by a wondering world as specimens of some little known, modern Philanthropophagi.

In the face of this popular rage for "intense" charlatanry, it is a bold experiment for a man of uncontaminated tastes, and natural habits, to publish a work like the one before us, whose chief recommendations—apart from its beauty of style and general literary merits—are, the freshness caught from the wild prairie and forest in which its scenes are laid—the unadorned truthfulness of its descriptions, and the pervading sense of the beautiful with which the author has invested it like a fragrant atmosphere. It was a bold experiment in these days of vitiated taste, but Mr. Webber, we fancy, is just the man to make such an experiment. He calculated well that the natural love of the truthful and chaste would respond to his efforts, nor was he disappointed—as we learn has been shown in the success of his book.

But its exquisite descriptions of nature, and its refined and exalted tone of thought, are not the only excellencies of the work. Here we find that truth, which is so much stranger than fiction; the "perils by flood and field;" the wild scenes and stirring incidents of Frontier Life; the hunt; the Indian fight, and the disastrous retreat, are depicted with a graphic power, adding to romance the charm of reality.

We will give here a rapid outline of the main incidents and scope of the book.

Our author, finding the life of a settler in Texas becoming monotonous for lack of adventure, started, with eight Rangers as restless as himself, in search of a traditionary gold mountain in the Camanche country. The rude and simple honesty of the frontier-man is well delineated in the characters of his companions; particularly in that of the hero, "Old Hicks." One offshoot from civilization deserves particular notice, a reckless fellow, who disputed with an Irish rival the palm of wit—who seems to have been the good-tempered "butt" of the expedition, and whose quaint antics enlivened the tediousness of the long march. The Doctor is a man worth knowing; himself and his air-gun were perfect godsends to the company; and the account of his strange exploits forms not the least entertaining portion of the volumes.

We give an outline of his character:

"Doctor Martin was from a good family at Philadelphia; had graduated at one of the eastern colleges, and afterwards received the diploma of Doctor of Medicine at the University of Pennsylvania. His restless disposition would not let him remain quiet any where, and he turned actor, and traveled over the West with a theatrical company.

"At length, after many queer adventures, he found himself at the Trinity colony, where his knowledge of medicine made him at last valuable.

"The only remnant left of his player finery was a black velvet cloak, from which the pile had been nearly all worn; and this was now fastened around his neck, the loose ends fluttering and streaming out behind like a piratical flag, as he rode. His bear-skin cap was garnished with feathers, and his hunting-shirt decorated with rows of pins, used for the purpose of impaling upon his cap any insects he might catch; for he was an entomologist and naturalist in general.

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"In his hand he held an air-gun, an instrument which was then entirely disused, and almost forgotten by civilization, though at the time of its discovery it had created an immense excitement. The doctor, besides his other accomplishments, had dabbled much in experimental chemistry, and had become quite a proficient in what was still the 'Black Art' to simple frontiersmen. He had taken up the old model and theory of the air-gun, which had been thrown aside as too cumbersome and complex for practical purposes, and, after a year or two spent in experiments at Cincinnati, had succeeded in convincing himself that he had so simplified the application of the machinery necessary to the condensation of air, that the principle could be efficiently applied to small arms under all the exigencies of the rudest service. He had, accordingly, perfected his invention or improvement in a rifle; and, after securing the patent at home, came out to the frontier with the determination of testing its efficiency at all personal hazards. He had not heard our adventure until we were under way, and had followed us on the instant with characteristic restlessness. He expressed his determination to accompany us, and neither our persuasion nor threats could deter him. We finally gave in, and with no very good grace agreed to retain what we could not but regard as a sure burden."

After many "hair-breadth 'scapes," through which we have not time to follow this little band of merry vagabonds; and after having increased their number by the addition of a woman, who sprung up like an angel in the wilderness, and whom they rescued from a horde of marauding Camanches, the whole party suddenly find themselves taken prisoners by some confederated tribes of Indians under the command of a redoubted French *emigre* noble. The exploits and partial history of this strange man are, we believe, notorious in Texas. His character is well drawn by Mr. Webber. He was a kind of Rob Roy on a large scale; levying tribute on the Mexican border. The lady who was rescued by our author, and who appears to have repaid his gallantry by captivating him, is one of the most romantic and witching creations of womankind it has ever been our happiness to meet with. Possessed of masculine courage, yet full of womanly delicacy and tenderness, she exerts an irresistible charm over the mind of the reader, so that it is little wonder she should have led the gallant captain captive. The capture of our party happily results in their adoption into one of the tribes of the strange confederation of which Count Albert was the originator. Our captain is then suddenly promoted as war chieftain of this Tribe, and our party set out in prosecution of their common object—the discovery of the gold mountain.

The Camanches, however, have strange superstitions connected with this gold; they regard their national existence as dependent upon keeping the mountain sacred from the profane cupidity of the white man; therefore they collected, in thousands, to impede the progress of the band of Rangers and their newly-made allies. While overshadowed by the gathering hosts of hostile Indians, and threatened by the defection of their friends, the French count meets with his death at the hands of one of our rangers, who discovers his sister in the woman, and learns, by the count's confession, that she has been made a victim to his lust and caprice; and scarce is the natural indignation of the warriors at the death allayed, by the admirable tactics of the French lady and old Hicks, before all have to fly before the storm of Camanches who bear down upon them. The following description of the flight is one of the most graphic we have ever read:

"We were not exactly panic struck, but desperate. Resistance would be useless, nay, impossible, unless we reached cover. That heavy mass would pass trampling over us, as over a ripe wheat-field, bending as we were to fall already, with our exhausted horses.

"Ah! how dear life seemed to me now, for the first time, through all the perils of these adventures! now, at last, I had something to make it dear to me, and now

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both the object and the life were, as my fears represented, for the first time really jeopardized.

"We had passed through quite as many fearful exigencies as this without a thought of apprehension on my part, but then SHE had not been free, nor had I clearly recognized that she *might* be something to my future!

"We had now come in view of the haven of temporary safety, at least, yet it was still nearly two miles off. But our horses were beginning to fail.

"The prodigious tension of speed up to which they had been lashed through such a distance began to tell now in the snapping of life-cords, and, as we rushed on, rider and horse lay here and there on either side of our track.

"The horses of the Indians ahead first began to fail, and when they did, would drop as if shot through the head. We could not stop, and left their riders to meet the warrior's fate as they might.

"We had swept past some fifteen or twenty dismounted riders and dead horses, and were within half a mile of the motts, when a deafening yell from behind announced that our foes were close at hand. Looking over my shoulders, I saw they were indeed fearfully close. I caught a glimpse of the straining nostrils of their horses and of their gestures of triumph.

"Ah! it was very terrible! We made yet more convulsive efforts to force our wretched horses on, and some of them, gamer than the rest, responded nobly, but their dark forms dotted the earth thicker and thicker as we rushed by.

"I now began to miss men from my side. With a wild, strange laugh, Dr. Martin went down with his horse and air-gun upon my left, and in another instant, his defiant death-cry reached me.

"Under other circumstances, had all the Indians that ever wore moccasins been close enough for me to feel the hot breath of their pursuit, I am sure I should have stopped to avenge that cry. But she! she who rode at my side! I could see, hear, know nothing else but her! This was disloyal to the faith of comradeship, but it was loyalty to the religion of the heart.

"The last spasm of effort had come. The arrows of our pursuers were whistling in our midst when we reached the motts.

"Here our Indians scattered in every direction, each taking care of himself as he could.

"The first of the motts were chaparral thickets, and could not be penetrated; but there were many small openings between them, and into these we dived in small squads.

"This character of the ground broke up the front and weight of the enemy's pursuit, since only a small number could follow us abreast, and this more nearly equalized our strength.

"We now reined up somewhat, and gave them the contents of three guns. This was a rash proceeding, for we should have been content to keep on, without attracting particular attention to ours, among the many other parties who were flying through the different lanes of prairie.

"Our discharge made their front recoil, but then it had the effect of drawing hundreds in our direction from the rear; and what made the imprudence still more disastrous, the narrow passage we had chosen soon opened into a small meadow-prairie, which gave them opportunity to spread.

"The grim chief, with about thirty of his, or, rather my warriors, who had stuck close, since his rescue, to Old Hicks, led all the force there was still left to back the forlorn quartette composed of Hicks, Landeville, the woman, and myself.

"In a twinkling the little prairie was filled in our rear by over two hundred howling, eager warriors, who rushed upon us now as sure prey.

"There had been no time for us to load our guns; but I saw that, on the opposite side, at less than a quarter of a mile's distance, the open timber commenced.

"To reach this was security; but they were upon us, and our horses were staggering. We yet had two pistol-loads apiece except Landeville. Never was the last round of a forlorn hope delivered with more desperate steadiness than those last shots of ours at close quarters.

"We fired at intervals, one at a time, as we slowly retreated, whenever they pressed too closely upon us. As our advance of warriors reached the timber, they made a most furious demonstration to cut us off.

"They were so close, that several of their lances were thrown at us, but these we

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were, by this time, dexterous enough to dodge. As we rose, three of us fired our last pistol, which caused them to hesitate an instant, since a warrior fell for every shot.

"With a terrific yell of disappointed fury, they rushed on again as we were hurrying our enfeebled horses after the Indians into the timber, when I heard a single shot behind us, and looking round, saw a feather-crowned chief tumble from his saddle in the front, and, as they all recoiled, Landeville waved above his head the second pistol that had slain a chief that day, and with a harsh yell, spurred on his tottering horse after us.

"They did not attempt to follow us further, for we immediately dismounted, and took our positions behind the trunks of the trees.

"Southern Indians never leave their horses to assail such a defence, and, after a shot or two from our re-loaded rifles, they commenced a rapid retreat."

Mr. Webber invests the wild life of the borderer with much of poetry and philosophy. He possesses a delicacy of perception and a subtlety of thought, together with a facility of conveying his emotions to the mind of his reader, with which few are gifted. The following from the chapter on the Philosophy of Savage Life, is a manly exposition of truths, which have for a long time puzzled the heads of our wiseacres, done in a dashing style, in which satire is handled with the freedom and effect of the "quirt lash" of the Ranger. This chapter contains higher wisdom than could be expected in a book of its class, and surprises us just as we are surprised, by those unexpected bursts of imagination, description and deep-toned enthusiasm, which are constantly occurring in its pages. We give the opening, which cannot fail to interest a class of readers, who would scarcely be inclined to expect anything from a book with such a title.

"It seems that the highest truths in many departments of human investigation, which it has taken our complex civilization many centuries to arrive at or approach, are recognized and acted upon intuitively in the savage or elementary forms of the social state.

"The savant travels an enormously circuitous route of precedent, through books and musty parchments, within the walls of the cell or studio, and, after all the weary way, has only picked up, amid the ashes and bones of centuries, a fragmentary particle or two glittering with the deathless light of Nature's truth: the savage lives in her immediate embrace, and the old mother smiles always benignantly upon her simple children. Thus they grow strong upon the giant's food, drawn from her own warm bosom, and act the prophecies of science—live in the real of its bright though sickly visions!

"The great geniuses are, and have been, essentially savages in all but the breech-clout. They arrive at truth by much the same processes; they equally scorn all shackles but those of the God-imposed senses, whether corporeal or spiritual, and, with like self-reliance, rule all precedents by the Gospel as revealed within themselves!

"It would be a disquisition filled with highest interest to the true philosopher, and pregnant of rebuke to the scientific pedant, which would treat knowingly of the many facts in the daily life of the savages of this continent, which show them to have unconsciously anticipated by centuries the slow and turgid revelations of science as taught in our schools of civilization.

"To say that they are far enough ahead of our philosophers in the knowledge of the laws of physical life and the processes of inductive reason, would sound like a monstrous assumption; but it is, nevertheless, a true one.

"The genuine savage is a living demonstration of simple mathematics, such as the stylus or type has never yet perpetuated to the dreary confusion of the pale, smoke-dried victims of "the midnight oil."

"Within the certain range of his excursions, he is a better naturalist than any of them all, from the old Brahmins, or even Aristotle, down to our later naturalists, so far as an absolute intimacy and sympathetic community with the life of wild animals is concerned.

"The habits of these creatures, wild and simple as themselves, are familiar to them from childhood as those of their own mates in their own tribe.

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"They know perfectly all their ingoings and outcomings; what changes the revolutions of the sun, moon, and seasons produce in these, or upon their passions and affections, their uprisings and lyings down.

"They are equally familiar with all the changes in size, plumage, pelage, &c., produced by age and the seasons.

"In a word, though they can not, with Cuvier, read you the Natural History of an antediluvian world, with its fossil remains for a text, yet they can, within the limits of their own excursions, furnish you with more accurate details of the world as it is than Cuvier and all his peers.

"They can puzzle the profoundest optician by their powers of vision, and set at naught his subtlest theories; so with regard to the sciences of the other senses.

"In each of these they nearly equal the most extraordinary of the animals who excel in a particular sense, as the eagle, the cat, the hound, &c., and yet have the advantage of combining all.

"How immeasurably superior such life to the prosy vegetation of the civilized man; and what amazing discoveries such organizations would bring to the field of his investigations, aided by his mechanics!

"How is this life perfected, and such organization perpetuated?

"The savage is, most innocently, a profound master of the laws of life. He has never taken his degree at Edinburgh, or travelled to the Continental schools; yet his simple habits are so far above the *practical* wisdom of learned professors as to enable him to look down with patronizing pity upon the technical and ponderous stupidity of all the colleges of medicine and surgery in the world.

"The object of medical science is to preserve as well as restore health. We have, in civilization, the most stupendously pompous appliances for the perpetuation of such knowledge as we possess, in all the departments of this science.

"The Indian laughs to shame all this silly parade! Long ago he humbly asked of his ancient mother Nature that she would teach him, and she is always gracious, except to those who, like our learned professors, attempt to *teach her!* She answered his prayer. She told him to look upon the wild birds and beasts around him, and he might read her written revelations of the laws of life and health.

"The Indian was humble, and obeyed. He took his knowledge of the laws of life from them; and when we grow wise enough, we too will wipe out our dusty records, and take not only from the same source, but as well from him our science.

"As he is more powerful, more long-lived, more active, more enduring of hunger, and thirst, and the vicissitudes of climate and season, than any one of the inferior denizens of the wilderness through which he ranges, so will those bold men of civilization, who adopt his humble, unpretending science, outstrip, in physical development, the feeble slaves of precedent by whom he is surrounded.

"Simplicity and common sense guide the savage. He lives in certain conditions of the elemental world. To these, whether hot, cold, or temperate, he must adapt himself, his own constitution, and that of his children.

"All these vicissitudes, have to be faced, whether or no; so he commences with accustoming his child to them from its birth.

"He plungrs it into the water, and teaches it to swim before it can walk. He gives it simple food, accustoms it to endure hunger and thirst; its life is to be a predatory one, so he habituates it to the use of mimic arms so soon as it can handle them. Its games are all such as will fit it for the war-trail on the prairie or the mountain forny.

"The child grows up a warrior without knowing it. When it receives a bruising fall in hunting, or is wounded in their dangerous games, like the frog when bitten by the spider, it has its prompt remedy at hand, runs to the nearest stream, and lies down in it until the pain is relieved, or else in harmless mimicry of pedantic nostrums, snatches some fresh herb from the earth, that, with its natural coolness, answers nearly the same purpose of withdrawing the inflammation.

"So he grows up his own physician; and, if more serious disease overtake him, which is seldom, abstinence, the steam sweat of hot rocks with water poured on them under a blanket, followed by a plunge into the cold stream, relieves him.

"He is his own surgeon, too; and if a limb is broken, he takes it to the nearest running water, steeps it there until the inflammation has subsided, binds it up with innocent herbs in some soft, fibrous bark, returns to the cold water as often as the inflammation rises, and is well in an incredibly short time.

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"So with wounds of every description. A single warrior will bear wounds of a character and number that would kill three white men, and yet, by the aid of abstinence, his immense recuperative energies, and such simple treatment as we have mentioned, he is up again and in the saddle before the corpse of a white man would have been fairly in the way of decomposition.

"This system constitutes, as I conceive, the true adaptation of 'means to the end.' We do not wish to make our children, in civilization, professional robbers, certainly, but we must and do desire to make them men. Physically men in every sense of hardihood and endurance, they are best fitted to become ethically so in every sense of good citizenship."

We have also, in the same chapter, the sterner side of the extraordinary character of the French woman, which is sketched in a single passage. We must keep in view the fact that the relations of this woman to the French robber, Count Albert, are still of an exceedingly doubtful character, and our captain, in spite of the passion for her, which possesses him, concludes that he is neither enough of a savage or a Parisian, to disregard these perplexing questions, whether the woman he loves is, or has been, the willing mistress of another man; yet the powerful spell of her presence both command, and plead, that he should *trust*. Whatever doubts he may wrestle with whilst she is absent, he is heartily ashamed of them all the moment he looks into her eye. But this contest with his prejudices and his passion through all the gloom of uncertainty, constitutes an intensely dramatic portion of the book.

Indeed, from the time of our introduction to her we recognize her as a most remarkable being, and whether a true or ideal delineation, she is certainly a noble addition to historical romance. She stands as a strictly original type of feminine heroics, such as only Paris and Life among the Camanches could produce, when their influence was combined.

In illustration of the powers of description of which we have spoken as one of the best traits of this new writer, we cannot forbear giving a description of a prairie on fire, which we consider decidedly the best yet published, though some of our best writers have attempted it. The party of Rangers had the day previous severely drubbed a band of Camanches, who, in revenge therefor, set fire to an immense prairie on every side of them just when they had reached the midst of it. pp. 72 to 76.

"*February* 1.—After passing the bottom of the creek on which we camped this morning, we came upon an open expanse, bounded only by the sky, where it shut down like a vast inverted basin upon the dead, plain level. Out to our left a long, black, irregular line of baffalo was stretched, like a great ragged blur upon the fair breadth of space.

"It was a wonderful sight, those countless legions of dark, moving things shearing the brown grass before them as they rolled slowly on!

"For miles and miles the infinite multitude was thronging, until their rounded backs grew up against the sky, and the strained gaze felt weary in tracing them. I had never seen any thing like this before. The pigeons, when they cloud the sun, can scarcely be more numerous.

"We had been moving past them for several hours, and still were all gazing in mute astonishment at this marvelous array, when Old Hicks suddenly exclaimed, pointing over to the right, 'The prairie's on fire! The cussed Injuns want to burn us up!'

"I turned quickly enough. Just under the horizon there was first merely a light smoky haze, which I should not have noticed as at all ominous; but in a moment this began to take on the appearance of a distant bank of mist, and then quick, dim points of light would break through. I turned my head, and saw this threatening appearance rising, slowly and simultaneously, on the three sides of us which were nearest the timber, thus totally cutting us off from all hope of escape by flight. It rapidly changed its form, and came down upon us with fearful speed.

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Now the dense and blackish volumes rolled up from the plain in huge knotted wreaths, while every moment from the midst a pale-red tongue of flame would leap, spring up, and then sink, smothered in the murky folds that, bellied by the wind, swept heralding before.

"Stretching far away, in front and behind, under the sky's rim, this terrible crescent seemed to be fast closing its fiery horns around us. Now the hot air struck us with its stifling currents, though there were yet miles between us and the flames; and, passing over, I could see when it had reached the herd of buffalo.

"The mighty mass was still for an instant, and along the whole line I could distinguish the lifted heads of the startled leaders snuffing the danger.

"Then there was a sudden tumult and recoiling, and the heavy roar of their affright boomed upon our ears; and, like a dark, great river, troubled and tossed by a sudden eruption beneath its bed, and turned from out its channel, with a rumble that made the earth shiver as in a spasm, it burst, rushing and tumbling, a shoreless torrent, over the plain, scattered wide and wildly toward the west.

"But our own case demanded all our attention. The rascally Indians had waited until we were in the middle of this very extensive prairie, and then set fire to the windward of us along a line of several miles at the same time. The winter grass was tall and dry; the wind had been high before; but in a moment it rushed past us a perfect gale of hot air, bringing the flames along with awful rapidity.

"The cowardly wretches had calculated well; as I glanced around, I could see little prospect of our escape. It was hopeless to think of outrunning it.

"Herds of mustangs were sweeping past with streaming manes and heads turned back, snorting in affright; antelopes scudded by like sea-birds; and deer, tossing their antlers as they looked behind, bounded long and high over the grass; yet I knew few of them would escape, with all their frantic speed; and what hope had we?

"We were all gathered in a cluster, looking round us in awe, silent and confused by the suddenness with which such terrible elements of fear had burst forth —I at a loss what step should be taken; when I heard the doctor say, in a sharp, nervous voice, 'What the devil are you at there, old man? I'm sure we are like to be roasted soon enough, without your hastening the thing!'

"I turned, and saw Old Hicks on his knees in the grass, blowing away eagerly at a spark he had struck with his flint and steel.

"Ah, right! It instantly occurred to me that our only chance was 'to burn against the fire,' as it is called; that is, set fire to the grass around us, and burn off all in the neighborhood, so that, when the great flood met our lesser flood, there would be nothing left for it to feed on, and it must subside on either hand, and leave us.

"The veteran's long experience had promptly suggested to him the only recourse under such circumstances, which might have occurred too late, if at all, to our comparative ignorance.

"I quickly sprang down to my feet, calling the men to assist in kindling and spreading our fire; very soon a circle of flame began to widen off, and while yet it merely crept along the grass, we urged our trembling horses over it, and stood grouped on the hot and blackened ground, holding their bridles.

"Our defensive fire spread rapidly; but the opposing torrent rolled on with appalling speed, the glowing billows leaping large lengths as they would burst for an instant through the advanced masses of dense smoke that were rushing, curled and writhing like huge phantom-snakes, over the bowed grass ahead, in swift chase, it seemed, of the poor animals; for every instant these shadowy monsters would devour one; then the flame behind would shoot up a quick, exulting spire!

"On! on it came! far along, above us and below us!

"The air became fiery hot, and hurled the eddying volumes of smoke upon us; and the hissing roar and glare raged fierce and high in terrible tumult close behind.

"Our horses became almost unmanageable; we were suffocating; we threw our blankets over our heads, and struggled with the frantic animals, in the steadiness of despair!

"It was an awful moment of darkened wrestling as the fiery hurricane swept over us, or, rather, past us; for, parting where the fire of our circle met it, it went charring, crackling, roaring by on either side, though close enough to almost reach our skins; and when we threw off the envelope of the blankets from our

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faces, the Red Sea had been passed, and we stood safe, but astounded, upon the blackened, smoking plain.

"'Egad, captain!'" shouted the doctor, "'Old Hicks has been the Moses this time!'"

"So he had been—the trusty veteran; and we all felt grateful enough for his prompt and opportune sagacity.

"After the line of the fire passed us, we could see nothing for the smoke, except now and then a burst of sparks and flame which would shoot up above it for a second, which, Hicks said, indicated that some poor animal had been caught; and after a while, as we rode rapidly across the plain to get off the heated ground, we could see a "flare-up," as Hicks called it, occurring every instant, showing that the great herd of buffalo had been overtaken.

"They were probably very many of them, burned; for every few hundred paces we would pass the charred and shriveled carcass of a mustang or deer. showing how fatal those glowing surges must have been in breaking over that countless multitude. I do not doubt that many thousands were burned to death.

"How bitterly we cursed the infernal Camanches, the next time we get within gun-shot of them will show."

The book, however, is not without its faults; it is marked frequently by a certain extravagance and impetuousness, that somewhat mar its beauty as a whole. It has evidently been written too rapidly—the author has sometimes mistaken the goose-quill for his revolver; but these are the faults most easily forgiven—they are errors inclining to the right side. The book contains abundant promise of future fame. We would advise Mr. Webber to write his next book more slowly, to hold in the reins of his fancy, and let us breathe on our way, and success and eminence are before him. Since his arrival in New-York, Mr. Webber has been employed in making contributions to our literature of varied and singularly original character. He is the author of the exceeding popular story of "Jack Long," or "Shot in the Eye," which appeared several years since in this Review, and by a curious mistake appeared in another Review of the same month. Several editions of this story, variously illustrated, have been published in England—and its circulation in this country has been surprisingly extended. His Sketches and Tales of Border Life are by no means his most valuable labors. His knowledge of Natural History is of the most intimate character; and his papers on Audubon, birds, and quadrupeds are, whilst he was associate editor of the American Review, and since in the Southern Quarterly, the most interesting and accurate that have appeared in this country. No writer among us has paid so much attention to these subjects as Mr. Webber. The accuracy of his observation is evident on the pages of this book; for all the facts with regard to the habits of the creatures of the wild regions which he traversed, are recorded with singular fidelity. We observe throughout the book charming anecdotes, many of them concerning animals almost entirely unknown, and unclassified by naturalists.

Though "Old Hicks" is not finished with the care and polish of Omoo, for the impetuous strain in which it is written has forbidden the minute attention to details, which is necessary to a perfect work, yet there is in it far more of earnestness and poetry than in Omoo, whilst it has the same remarkable *vraisemblance* of that popular work, and possesses an advantage over it, in the confidence that it inspires of its truth. We verily believe in these Camanches; we believe in this daring and dashing Frenchwoman, and in the ferocious Count Albert, though the possibilities of their strange life had never before entered into our conception.

We believe, though through the apparent extravagance of some of the wild scenes in which these persons are actors, our fireside-credulity may be shocked. Somehow, the vividness and earnestness with which they are described convinces us, in spite of ourselves. We have evidently much to learn yet of these Camanches.

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ENGLISH REBELLION OF 1745.*

This performance is a plain, unvarnished tale of a scene in which the author was an actor. There is not so much interest thrown around the characters and events of this extraordinary period of English history, as might have been expected from the author of the elegant tragedy of Douglas. Still it is not void of interest, as it bears every mark of authenticity, and treats of a very strange event.

The Rebellion of 1745 is a kind of episode in the general course of English history—strange and unexpected. It resembles a chapter in romance more than a history of grave facts. At every step we seem to be invading the domains of fiction—to be treading the walks of sentiment and fancy. When we have finished our investigation and laid aside the volume of information, we feel as though a tragedy had ended, whose progress we had watched with intense interest, and for whose characters we felt the deepest sympathy. Every circumstance connected with it partakes of the wonderful, the heroic, and the poetic. The man of song should claim it as his own, and weave it into verse, to stir the human soul, and to cultivate a love for the sublime exhibitions of humanity. It was a desperate undertaking; it was originated and sustained by exalted sentiments, rather than calm suggestions of reason. The men who were engaged in it were extraordinary; they rise before us as knights of chivalrous romance, doing battle for the needy—conducting a wandering and exiled prince back to the throne of his ancestors. Their souls dilate with sentiments of loyalty; for them dangers have no terrors—selfishness no voice. Charles Edward Stuart, the last of his family who was to struggle for the glittering coronet, so fatal to his ancestors—destined to guide the fortunes of his race to a termination, is sublimed into a hero, and we follow him through his strange ventures, by sea and land, with undivided interest. Chevalier Johnstone, it is true, would throw some doubts upon the heroism of Charles, but we think the preponderance of evidence against him. We are disinclined to listen to his representations. Loftiness of soul, boldness in conception, and daring in execution—an absorbing devotion to his purpose, a generous and magnanimous nature, equanimity of temper under the smiles of fortune, and buoyancy and submission under her chastisements, are the necessary elements of the hero. We feel that Charles Edward possessed these qualities, and believe that he displayed them during the brief, but brilliant period, in which he figured. It is true, his career, before the world, was brief—brief as the aurora-borealis, that illumines for a moment the northern heavens, and then leaves them to the feebler fires of night. But it must be recollected, that during this brief career Charles experienced many changes of fortune, under all of which he sustained the qualities of the hero. In the midst of success he was not elated beyond the natural buoyancy of bright hopes; he was still generous, brave, humane. When flying for safety from island to island, and from cave to cave, on the western coast of Scotland; when passing from the hands of one Highlander into those of another, he bore his misfortunes and dangers with astonishing firmness. When hunger, fatigue, and disease had emaciated his form, so

* English Rebellion of 1745. By Home.

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as to draw tears from every beholder, he beguiled them of their sorrows by his cheerfulness and pleasantry. In Holyrood, the palace of the Jameses—of the unfortunate Mary—amid the revelry of the dance, surrounded by courtiers and smiling dames—or in the caves of Benbecula, fed by the benevolence of Flora Macdonald—on the victorious field of Falkirk, —or witnessing the total ruin of all his fortunes at Culloden, he was the same generous hero.

But our object is not to follow Charles Edward through all his fortunes. Interest has already led us too far. It would be a pleasing task to notice his education amid the arts and refinements of Italy and the ruins of Rome, where

> "He drew the inspiring breath of ancient art,
> ——And trod the sacred walks
> Where at each step imagination burns;"

how he was trained in the boar-hunt, like Cyrus of old, for the active scenes of the camp and the dangers of the battle-field; we should experience a melancholy pleasure in conducting him, after the ruin of his hopes in Scotland, back to France,—where his life became a dark picture of neglect, disappointment and misery.

But we must leave Charles for another feature of this Rebellion, still more interesting. We have made use of him, to introduce our principal subject.

It was on the 19th of August, that Charles Edward repaired to Glenfinnin, a long and narrow glen, where the royal standard was to be erected, and where he was to meet Lochiel, Macdonald, and other Highland chieftains, with their clansmen, who, a few days previous, had pledged their lives and fortunes to his cause, before he left the Doutelle, the small vessel that bore him from France. It will readily be imagined that Charles was at the place appointed at an early hour. The sunbeams were just beginning to illumine the rugged summits of the mountains; the grey mists were rolling away in graceful wreaths from strath and hill-top; the beast of prey had just returned from his nightly prowlings to his lair, and the owl to his rocky summit,—but "not a plaid was yet to be seen, and the solemn silence of a mountain solitude overhung the glen." It was a trying hour for the wandering prince. Where were the brave men who were to sustain his cause? where the soldiers to fight his battles? Two trying hours had already rolled away, when the notes of a distant pibroch were heard among the hills, and soon eight hundred clansmen, with plaid and blue bonnet, broadsword and claymore flashing in the morning sun, were seen winding their way through the passes of the mountains to the place of rendezvous. The royal standard-bearer, Tullybordine, erected the royal banner, "a tissue of red silk, with a white space in the centre." "As its broad folds opened upon the winds, the mountaineers threw up their caps in the air, with a shout which scared the young eagles from their nests among the crags, while the pibrochs breathed forth their songs of triumph, so deep and spirit-stirring, among the echoes of the hills."

Of these extraordinary men, children of the tempest, of poetry and song, who, under such romantic circumstances, rushed from their mountain homes, where they had lived unknown and unknowing for ages, and gathered beneath the banners of Charles, put to flight the regular armies of Britain on the fields of Preston and Falkirk—pierced into the heart of England, and threatened to dethrone her sovereign; and who finally laid down their lives and left their bones to bleach on the field of Culloden—of these extraordinary men, we now propose to speak, more particularly.

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The theme is interesting, and expands itself into a variety of heads. We feel the embarrassment of wealth; its splendors dazzle and its pomp perplexes the mind.

Many of our earliest and most cherished associations are connected with the Highlands, and with Highland character and scenery. Historic recollections recall the chivalry, the patriotism, and the deep tragedies of Wallace and Bruce. Memory dwells with fondness upon the glory of their deeds. The songs reour, in which their actions are embalmed, and their martial strains dilate the "wrapt soul" with more than earthly sentiments. Over this stormy and sterile region, Sir Walter Scott has poured the exhaustless treasures of his genius; he has invested it with the robings of a teeming fancy, and encircled it with the wild witcheries of a rich imagination. He has peopled it with real and imaginary characters, of every variety, from the most perfect forms of loveliness to those of the most disgusting deformity. Where is there a more lovely creation than the Lady of the Lake, or Minna, the romantic daughter of Magnus Troil; or where a form more degrading to humanity than the Black Dwarf, or the Page, in the Lay of the Last Minstrel? Under the wand of this wonderful magician, the Highlands lose their character of tempest and storm, and rise to view in more than Aztec or Peruvian glory. Every fountain and every strath is vocal with the language of fairies, attendant upon the beck of innocence, or of genii, delighting in mischief. The distance from the other world is annihilated, and bodiless spirits commune familiar with flesh and blood. Even the ocean, that foams and beats with terrific grandeur upon the rock-bound coast of Scotia, has its mysteries. Its bottomless depths and secret caverns are the homes of superstitious legends. The mermaid glides along the waters of the moonlit bay, mingles her voice with the sighing breeze, sings of subterranean wonders, or chants prophecies of future events. The monstrous leviathan, hugest of living things, is seen sporting and moving its horns amidst the wreaths of mist and the clouds of fog that brood over the northern sea. The sea-snake rises out of the depths of ocean, stretches to the skies his enormous neck, and with its broad, glistening eyes raised on high, looks out, as it seems, for plunder or for victims.

At the time of the Rebellion, of which we have been speaking, the world was essentially ignorant of the Highlanders. Their mountain-homes, mysterious ocean, and rocky walls, isolated them from the rest of mankind. Sir Walter Scott had not yet revealed the literary treasures of these arctic regions. The Lady of the Lake and the Lord of the Isles had not yet been called into existence. While the scholars of England were bewildering their brains about the Scythians, the Goths, the Belga, and other ancient tribes, a much more interesting race, the Highlanders, were dwelling almost within sight and hearing of their quiet studies. And if these philosophers and scholars loved to trace the walks of uncultivated humanity, the Highlanders were then, as they had been for ages. Time had wrought no change in their manners or modes of existence. The son trod in the footsteps of his sire, and thought it impiety to depart from them. Here human nature reigned in all its natural wildness. Its fields were uncultivated; they exhibited all the ruggedness, the grandeur and the beauty which nature gave them. The hand of cultivation had not levelled their mountains, subdued their forests, and enriched their plains, with the harvests of industry. Here, law and order had not yet harmonized the growing elements of human existence into peaceful society. Here, says Mr. Grahame, are no cultivation of grounds, no improvement of pastures—no manufactories—no trade—in short, no in-

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dustry. Here the laws have never been executed, nor the authority of the magistrate ever established. Here the officer of the law never dares nor can execute his duty.

The condition of England and of the Lowlands of Scotland, at this time, exhibits a very striking contrast with that of the wild region of which I am speaking. The Lowlander and the Highlander are neighbors—they were separated only by a geographic line—the smoke of their chimneys mingled—they heard each other talk; still, they were strangers and enemies—they spoke different dialects—they had different pursuits. In England and the Lowlands of Scotland, factories had sprung up, commerce was extended, and law and order everywhere prevailed. A love for intellectual pursuits was cultivated, and the arts and sciences were on the advance. While Rob Roy, at the head of the clan Macgregor, was committing depredations upon his neighbors, levying blackmail, driving his stolen cattle from glen to glen, setting government and law at defiance, Addison was indulging the refined wit of the Spectator, and Pope was translating the Iliad of Homer and composing the Messiah. It is this contrast of refined with rude and uncultivated life, that constitutes the chief charm and profit in the study of Highland character. Revolution after revolution, moral, political and religious, had rolled like successive waves over the face of Europe, bearing away, in their destructive course, the foundations of old institutions. Interest clashed with interest and principle with principle; the kingdoms of the earth arrayed themselves against each other; society had at length begun to remodel itself, and to settle down into a quiet state. But these revolutions and convulsions which make up the history of Europe during the seventeenth and eighteenth centuries, reached not the Highlands of Scotland; they spent their force upon the walls of the Grampians. Thus far shalt thou go, and no farther.

I will now proceed to a more specific view of the peculiar institutions of the Highlanders—their clanship—its influence upon their manners and character—their poetry and superstitions.

[TO BE CONTINUED.]

CHARLES VII.

FROM THE FRENCH OF BERANGER.

AGNES ordains—I seek my foes—
Pleasures, adieu! adieu, repose!
My God, my love, my hero band,
Shall vengeance for my crown demand;
And when my fair one's name ye hear,
Soldiers of England, quake with fear!
I at her side from honor fell astray;
Agnes to honor points again the way.

From danger far, in idle sport,
Frenchman and king, amidst my court,
I heeded not that France, a prey
To foreign chains, in bondage lay.
One word, but one, my fair one speaks,
The blush of shame is on my cheeks.
I at her side from honor fell astray;
Agnes to honor points again the way.

Agnes! all, all my blood shall flow,
If *that* can victory bestow.
But no—victorious, Charles shall live;
Glory and love good omen give.
Yes, I must conquer, fair one mine;
My colors and device are thine!
I at her side from honor fell astray;
Agnes to honor points again the way.

Dunois! Saintrailles! La Trémouille!
Frenchmen! how glad that day will be,
When I shall bid my beauty don
In twenty fights the laurels won!
Yes, fame for me, and bliss for you—
These to my fair one shall be due!
I at her side from honor fell astray,
Agnes to honor points again the way.

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THE DIVER.

FROM THE GERMAN OF SCHILLER.

[The poet Schiller, in the following ballad, has seized upon a circumstance which, if one may believe what is commonly told of the pearl divers of the East Indies, contains nothing that is extraordinary in itself. He has selected a story, told by Father Kircher, of a famous diver named Nicholas, who was in his time unrivalled, both in swimming and diving, and by that poetic license, which illumines all it touches, he has made of very ordinary incidents a most pathetic little poem. It has been translated by Bulwer, but he has taken as much license with the German metre, as Schiller did with the facts on which the ballad is founded, and which cannot be warranted by any means on the same principles. A translator should endeavor to preserve the metre as well as the spirit of the original; and although Bulwer has done the former, yet he seems not even to have wished to do the latter. An effort has been here made to preserve them both, which it is hoped has been in some degree successful.]

I.

[" WHAT one of ye dares, be he squire or knight,]
In the wild and yawning gulf below
To plunge, and there boldly to wrest from its night
The goblet of gold from my hand I now throw?
He that bringeth again this goblet to me
May claim it and have it, his own it shall be."

II.

Thus spake he, then flung he the cup from the verge
Of the cliff, which there rugged and steep,
Hangs o'er Charybdis' howling surge,
As she drinks in the waves of the boundless deep:
" Some dauntless soul that is here I trow,
Will dare to fathom the depths below."

III.

And the knights and squires that throng him around,
Though they heard him, yet silent remain;
Looking downward and fearing the pool's hollow sound,
Not daring its wrath the goblet to gain;
And then for the third time outspoke the stern king—
" Is there none to leap in, the goblet to bring?"

IV.

And then as before, all in silence remain,
Till a squire, though gentle yet bold,
Stepped gallantly forth from the trembling train,
Firmly bent upon winning the beaker of gold:
And knights and dames seem with wonder spell-bound
As his girdle and mantle he flings to the ground.

V.

And lo! as he stepped to the marge of the rock,
And gazed in the boiling abyss below,
Charybdis again with wild tumult and shock,
The foam from her whirling eddies did throw,
And with the noise of the thunders' echoing roar,
The waves from her gloomy bosom outpour.

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VI.

And it bubbles and foams, and hisses and roars,
As when fire and water are striving to blend,
And up to the heavens the flashing spray soars,
And flood upon flood throngs on without end;
And it never will cease nor from travail be free,
Like a sea that is striving to bring forth a sea.

VII.

But now the wild whirlpool hath quiet at length,
For a dark and deepening chasm seems rent,
And it yawns while the waters are curbing their strength,
As though to the realms of hell it went;
And with a hollow dull murmur the surges roar
As down through its gurgling tunnel they pour.

VIII.

Quickly now the bold youth ere the sea gathers strong,
His soul unto God has commended,
And the eddying whirlpool has swept him along,
Ere the horror-struck multitude's cry has well ended;
And the vortex, the swimmer e'en now has closed o'er
Like the mouth of a giant; they see him no more.

IX.

And silence now reigns round the whirling abyss,
As the waters in tumult are hurried along,
And hollow and boding, they bubble and hiss,
While a tremulous murmur passes on 'mid the throng;
"Gallant heart fare thee well," the multitude cries,
Yet nought but the vortex, low booming replies.

X.

"And should'st thou fling in thy royal crown,
And say, who will forth my coronet bring?
I would not covet such dear-bought renown,
E'en though I might wear it and be king;
For no living soul can e'er hope to reveal
The fearful secrets its hollows conceal."

XI.

"Full many a bark in its vortex held fast.
Has headlong darted beneath the deep wave,
And nought but fragments of keel and mast,
Has escaped from its all-devouring grave."
But in still nearing circles, sweeps the whirlpool around.
And louder again grows the tumult of sound.

XII.

And it bubbles and foams, and hisses and roars,
Like fire and water when striving to blend;
And e'en to the heavens the flashing spray soars,
And flood upon flood hurries on without end!
And with the noise of the thunder's echoing roar,
The waves from that gloomy abyss outpour.

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XIII.

But see! from its dark and billowy stream,
A neck and a shining arm laid bare;
Of spotless white, like the swan they seem:
The waves fly apart, the bold swimmer is there!
And though the vexed whirlpool its foam round him flings,
Yet high in his left hand the goblet he swings.

XIV.

Then a long and swelling breath he draws
As he greets the joyful light of day;
While the gathered throng shout with exulting applause,
"He lives, and the gulf is despoiled of its prey!
The venturous youth hath rescued his life,
From fatal Charybdis' foaming strife."

XV.

Now he brings it and sinks at the feet of his king,
Who motions his daughter to fill to the brim,
And as the loud shouts of the multitude ring
She fills it and tenders the goblet to him.
And then downcast of eye and modest of word,
The venturous youth thus accosts his liege lord.

XVI.

"My King, live forever! Ah, 'tis joyous to breathe
The sweet air in this roseate light,
But how fearful is all in the chasm beneath,
Where sea-forms are moving in gloomiest night!
O! let not the Gods, still less, men in their pride
Seek to know the dread secrets those awful depths hide!

XXVII.

"With the swiftness of lightning the pool snatched me down,
Far away from the sight of the beautiful world,
While forth from its pit, where the craggy rocks frown,
The current wild heaving, its weight on me hurled:
My limbs by the eddies were held firmly bound,
And twirled like a top, I spun dizzily round.

XVIII.

"Then God, upon whom in my fearful extreme,
I earnestly called, in mercy gave ear,
And showed a peak jutting out by a rocky seam,
Which I grasped, and avoided death threat'ning so near;
And there, too, on a sharp point of coral, fast hung
The cup my liege lord from his hand had flung.

XIX.

"Then deeply beneath me as mountains are high,
Lay the purpling darkness of ocean;
Fearful things of the waters swam silently by,
Though soundless, yet darting in fierce rapid motion;
Salamanders, sea-dragons and monsters unknown,
Gropingly people those silent abysses alone.

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XX.

"In frightful medley darkly there swarm
Shapes monstrous and awful in horrible masses,
The prickly ray and the stockfish hideous of form,
And the balance fish eyeing me stealthily passes;
And the gaunt shark, the hyena of the sea,
His grim rows of teeth opens fiercely on me.

XXI.

"And there with dire forebodings I hung,
Afar from all human relief,
The sole conscious being, those spectres among,
In a realm where man reigns not as chief;
Down deeply beneath the voice of my kind,
'Mong grim cruel monsters each wrathfully blind.

XXII.

"And methought the polypus moved up near,
And to clasp me its hundred arms it swung,
Oh, then in the ecstacy of my fear,
I left the firm coral to which I had clung:
But the whirlpool which raging then grasped me again,
Showed mercy, and spared me when aid was in vain."

XXIII.

In wonder enwrapt, for awhile stood the king,
Then said, "the goblet is thine own;
And yet more, I promise this glittering ring,
Thick studded with many a costly stone,
If thou'lt dive once again, and news bring to me,
Of what thou may'st find in the depths of the sea."

XXIV.

With tender pity his daughter heard this,
And thus with suppliant words began,
"Dear father, ah, let this fearful sport cease,
He hath done for thee now what none other can;
And thy offers may tempt him to plunge in again,
For the proud thirst of triumph man ne'er can restrain."

XXV.

Then the monarch impatient of further control,
Hurled it far in the foam of the gulf's fiercest might;
And said, "if he bringeth to me that golden bowl,
I'll count him my noblest and bravest knight,
And espoused to my daughter this day shall he be,
Thus requiting her pity and sympathy."

XXVI.

And a spirit unseen to his soul seemed to speak,
And courage like fire shone forth from his eye,
As he saw the blush suddenly mantle her cheek,
Then saw her grow pale and sink down with a sigh:
So calmly resolving the maiden to win—
For life or for death once again he plunged in.

XXVII.

Then heard they the tumult with dread and amaze,
As it swept on with thundering sound;
And the maiden o'erbending with fond loving gaze,
Stood watching the billows that madly whirled round;
And their eddying circles swept on as before,
But the bold hearted youth was seen never more.

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A DUEL IN 1788, AND IN 1794.

FROM THE FRENCH OF MARIE AYCARD.

III.

"PARBLEU," said the marquis, his anger somewhat cooled by this act of vengeance, "your lover is by no means as brave as he is handsome. While you are like a lioness robbed of her whelps, he flies, leaving you to the full fury of my anger. I have said but a single word to him—'*Begone!*' and he has obeyed like a lackey. You are wrong, Madame, to stoop thus to a man of the robe; it is derogatory to your character; it will injure you. If I should ever take it into my head to relate this little adventure to our friends, you would sadly fall in their esteem. A little lawyer, Madame—fie! What are you thinking of? Adieu, Herminie, adieu! send after your handsome counsellor; I resign all my rights to him."

With these words he turned upon his heel and left the apartment, humming a fashionable air; but beneath his affected carelessness he concealed a cruel sting, a bitter feeling of vexation; he was wounded in his vanity and in his love. A petty youth, who durst not look him in the face—whom he had chased from his presence by a single word, had, notwithstanding all this, supplanted him in the good graces of the woman who had ruined him, and who had reduced him to the necessity of allying himself to an obscure family; but this was not all; this same youth had subdued the heart of the marquise, so young, so beautiful, so graceful and so charming, and doubtless, pure also, and whom he had basely abandoned at the moment when he had given her his name, in permitting, nay, almost in commanding her to cherish an adulterous and dishonorable passion. Although perverted by the licentious manners of the time, M. de Lussan was endowed with natural good sense; besides, the sight of his young wife had not failed to make an impression upon him; her gentle, budding, artless beauty, had fascinated him almost without his knowing it. On leaving the house of Madame de Saint Didier, he shuddered as he thought upon the imprudent words which had escaped him in the marquise's presence; he directed his coachman to drive him home, with the intention of re-entering his wife's apartment, and of repairing by his gallantry, and even by his tenderness, the wrong of which he had been guilty towards her an hour before.

"No, no! my little M. Cressy," he said to himself upon the way home, "you shall not visit my estate of Lussan; no, you shall not accompany the marquise—you shall remain at Paris—I leave you Madame de Saint Didier; that ought to satisfy you."

He reached his hotel; he laid aside his court dress, and entered his wife's apartment, now attired in a costume befitting a newly married bridegroom. A waiting maid, fast asleep, alone occupied the bedchamber. He awoke her.

"Your mistress?" he said.

"The marquise has gone out."

These few words, "The marquise has gone out," tingled in the ears of M. de Lussan like the sound of a bell ringing and dying away after a prolonged vibration.

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"The marquise has gone out!" he cried, "at this hour! In a carriage, doubtless?" "No, my lord marquis, on foot." "And alone?" "Alone." "How do you know this?" "When I entered Madame's apartment to aid her to undress I did not find her here; I called, I questioned the domestics of the hotel, but no one had seen her. The porter told me, at last, that Madame had directed him to open the door for her, as she wished to go out." "And he obeyed?" "Yes, my lord marquis, Madame appeared to be very anxious to leave the hotel, without being seen by the domestics; she gave the porter two louis, apparently in order to purchase his silence; but Fritz has no secrets from me, and my devotion to my lord marquis—"

"It is well! the marquise has gone out at my orders; I know where she is—leave me!"

The marquis but too well suspected where the marquise probably was, and he reflected with rage, that, instead of leaving M. Cressy at the dwelling of Madame de Saint Didier, he had driven him from the house, and had sent him home, so that it was probable that the two lovers would meet. Thus, everything turned against M. de Lussan, who, unacquainted with the counsellor's place of abode, could not even go in search of his wife. Then, stricken himself by that immorality, the bitterness of which he had thus far inflicted upon others, he reflected, for the first time, upon the depravity of those around him, and upon the shame which he had just heaped upon himself with such gaiety of heart.

But in this chamber in which he now found himself, upon the same arm chair in which he was seated, the marquise had an hour before reflected in her turn. Reared beneath the paternal roof, and amid the austerity of a convent, the only man besides her father whom she had seen familiarly, was M. Cressy, whose remarkable beauty had touched her heart. M. Cressy was her relative; before M. Mélan had acquired his present wealth, Cressy was destined to become her husband, and both had exchanged those vows of eternal love, which, although uttered in good faith, still usually vanish before the will of the parents. To say nothing of the letters which contained the proofs of their mutual ardor, the young people had exchanged rings, which they were reciprocally to restore to each other, in case that either should prove unfaithful to their vows. In love matters, nothing should excite our surprise. M. Mélan informed his daughter that she must no longer think of her cousin Cressy, and that it was his wish that his grandsons should be marquises.

The maiden was dazzled by the title of the marquis; she saw M. de Lussan, and yielded. She would be introduced at court; she would have servants in splendid livery; she obeyed without much repugnance. There still remained the ring which she had received from her cousin.

In the mean while the marriage took place, and she was awaiting her husband, when M. de Lussan appeared in her apartment, and addressed her in language which she was far from anticipating, and which, in her artlessness, she did not entirely comprehend; all that caught her attention in the arrangement which was proposed to her, was, that she could receive her cousin's visits and enjoy his society.

Vexation then revived a passion, which for several days had been quite banished from her mind; and the marquise, disdainfully abandoned by her husband, and wounded in her vanity, afraid, besides, to confide her secret to another, took a step which proved both her ignorance of the world and her excessive artlessness. Having wrapped herself in a thick mantle, she slipped two louis into the hands of the porter and hastened to the abode of M. Cressy; the pretext with which she justified this step,

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was the necessity of remaining faithful to a part of her vow, that of restoring her cousin's ring. But how many things had she to say to him! how many disappointments to impart to him! how many new vows to exchange! Had she been better acquainted with the world, she would have comprehended that the marquis had just permitted her every license, except a step so hazardous as this; she would have known that vice has its prudence, or, at least, its hypocrisy.

As we have said, the marquise lodged in that portion of the Boulevards which lies adjacent to the house of Beaumarchais; M. Cressy lived at the point of the Marais, the nearest to these Boulevards. The distance was not far from one dwelling to the other, although the road was deserted, since, at that time, the houses which border upon this Boulevard, to-day so densely populated, were not then built; but it was scarcely eleven o'clock, and to a brilliant July day had succeeded a lovely night, lighted by a bright moon, which shone in a clear and starry sky.

The marquise had scarcely left the hotel when she was seized with terror, and was upon the point of returning; she summoned all her resolution, however, and seeing that she was neither followed nor watched, and that the few passers whom she encountered paid no attention to her, she took courage again, and reached, without obstacle, the door of her lover's dwelling. It was now necessary to knock and pass the formidable lodge of a loquacious porteress, to whom she was known. The marquise knocked, the door was opened, and the porteress exclaimed—

"Holy virgin! is it you, mademoiselle Mélan? you here at this hour, and all alone! So the marriage is broken off then, and you are not a marquise?" "M. Cressy! M. Cressy!" said the marquise hastily, "is M. Cressy at home?" "Ah! M. Cressy!" replied the porteress, "I thought that this day would be his last. He shut himself up in his chamber to weep; but about five o'clock a pretty chambermaid came, bringing a letter for him. Then M. Cressy made his toilette, and in a short time a beautiful lady came herself in a superb carriage, and they rode off to the opera." "To the opera!" cried the marquise, in a tone of grief. "Listen, my pretty demoiselle!" said the porteress, "if the marriage is broken off he has done wrong; but if you are a marquise, why he must, of course, try to find consolation elsewhere."

The marquise drew a ring from her finger, and reached it to the porteress.

"You will give that to M. Cressy," she said.

And she left the house with a swelling heart, her eyes filled with tears, having lost almost at the same moment, the illusions of a first passion, and those more reasonable expectations which a wife may well base upon the love of a husband.

"If she is not married," thought the porteress, "who then has given her the beautiful diamonds which dangle from her ears and sparkle upon her fingers?"

In the meanwhile the marquise, who had overcome her fears in order to reach her cousin's house, was now in a mood to be alarmed at her own shadow. Her limbs trembled beneath her; she was scarcely able to proceed upon her way; she started at the slightest sound; the opening of a window, the passing of a carriage near her, drove her to seek refuge beneath the porch of some shop, or in the recess of a carriage gate, uncertain if she would have strength to advance farther. It was necessary for her, however, to proceed onward; it was necessary for her to reach her hotel, and probably she would have found her way thither without great difficulty, if, at a few paces from her dwelling, those

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diamonds, which, according to the expression of the porteress, dangled from her ears, had not betrayed her. Four men, evidently intoxicated, who were returning from a tavern in the environs of the Bastile, stopped her upon the Boulevard.

"And where are you going all alone thus?" said one of them, who had caught a glimpse of the sparkling jewels. "It is some pretty girl in search of a lover," said the second, raising his hand to the marquise's ears. "For how much will you sell us these beautiful earrings?" added a third.

And as the marquise stretched out her hands by an instinct of self-defence, the fourth perceived the valuable stone which decorated one of her fingers, and he added—

"I must have that ring; you are too polite to refuse it to me."

The words of these men, their intoxication, whether real or feigned; their gestures, which were becoming alarming, all combined to inspire the marquise with an emotion of fear, much more reasonable than that which she had thus far felt. She uttered loud cries; she struggled in their hands; and losing at last the hope of escaping the danger which menaced her, she sank to the ground in a swoon.

When she recovered her senses, she found herself in the rear shop of a fruiterer; a woman was bending over her rubbing her temples with vinegar, while a young soldier, with his sword still unsheathed, was gazing upon her attentively, and seemed to await with anxiety the moment of her return to consciousness. Before these two persons perceived that her swoon was at an end, she had an opportunity to see them and to hear their words.

"You have done a praiseworthy action, master soldier," said the fruiterer's wife, "but it has not cost this young girl much trouble to earn these beautiful diamonds, which you have preserved for her. But no matter, that is no reason why they should rob her." "You are deceived, madam," replied the soldier; "I am sure that she is an honest woman, although I am unable to explain by what chance she was alone, at this hour, upon a deserted Boulevard. No matter, you shall be well rewarded for your kindness. I do not know what I should have done, if you had not opened your door to me. I am but a simple soldier, yet I have a few crowns laid up, and if the husband of this dame does not recompense you, I promise—" "The husband! And do you think that she has a husband? It is easy to see that you do not dwell in this quarter. Here there are none but poor girls, who never have diamonds, or girls of the opera." "Softly!" rejoined the soldier, "she is coming to her senses; look, she is opening her eyes!"

The marquise, outraged by her husband—forsaken by her lover, had just escaped a serious danger, only to be misjudged and wounded in her honor; she rose half-erect upon the bed upon which they had laid her, and with her eyes filled with tears, she said to the fruiterer's wife—

"I am not what you think, madam; I am the marquise de Lussan, and—" "Yes, yes, a fine marquise, in truth!" replied the woman, rudely; "a marquise alone, on foot, upon the Boulevard! And where did you come from in this dress?" "From my cousin's, to whose house I had been sent by my husband," said the marquise, with a frankness which proved her simplicity. "And on what errand?" asked the woman.

At this insulting question, which would by no means have embarrassed a lady of the court, the marquise lost countenance, stammered, blushed, and cast her eyes to the ground. The woman and the soldier exchanged a significant glance, while an expression of scorn, and at the same time

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of pity, was depicted in the features of the latter, who suffered these words to escape him:

"Here we have them, these nobles!"

The marquise timidly raised her eyes to her preserver, and seemed to feel the bitterness of this observation. Eleven months were scarcely to elapse before the taking of the Bastile; the people, weighed down by the yoke of the nobles; the commoners, oppressed by abusive privileges, had, at last, reflected, and all had counted their numbers; from hatred they had passed to contempt, from contempt to a disposition to aggravate their wrongs, in order to augment the anger of the nation. It may be said that, in 1788, the revolution had long since commenced in the minds of the people. The soldier felt convinced that this young and lovely woman, whom he had just saved from imminent danger, was, like himself, a victim of the arrogance of the nobles, and that some great misfortune lay concealed behind the singular position in which she found herself. Having learned from her that she dwelt at a short distance from the shop where they now were, he offered to escort her home, and to restore her to her husband's arms, if she desired it. This offer having been accepted, they both left the fruiterer's shop, who gazed after them with distrustful glances.

"There is a creature," she said, as soon as she was alone, while she closed the door of the shop—"there is a creature indeed! she will be the ruin of this young man, and it is a pity, for he is a handsome fellow."

The hero of this little adventure, which was so near being fatal to the marquise, was, indeed, a handsome fellow, of lofty stature, with a pale high forehead, blue eyes, and whose every feature bore the character of resolute courage, and of an ardor which the peaceful occupations of his father must have found difficulty in repressing. The son of a turner in the suburb Saint-Antoine, he had, in truth, left his father's house, and enlisted voluntarily in the army, a step which was rare among those young men who had received any degree of education, and who could hope to make their way by commerce or by some manual occupation, for the examples so often cited of Chevert and Fabert were almost unparallelled. A man of the people could not become an officer, except by a concurrence of circumstances, which it was unreasonable to count upon. In escorting the marquise home, the young soldier, who was struck with her beauty, endeavored to draw from her a recital of the circumstances which had exposed her to the attacks of the four ruffians, and why she had left her home in this singular costume. There was a mystery in all this, which he was anxious to hear explained. He related, therefore, how it happened that he had been so fortunate as to arrive in time to the young dame's assistance, and as the latter expressed her thanks—

"You owe me no thanks," he said, "I have done nothing but what an honest man ought to do, and there is no great merit in this. Those knaves were as cowardly as greedy, and as soon as they saw the flashing of my sword they took to flight. I then knocked at the door of that woman's who so misjudged you, madame, and still whose cares revived you from the swoon into which you had fallen. Now, according to your wishes, I am leading you back to your home—to your husband. Perhaps you have a repugnance to this step; if so, dispose of my services." "The Marquis," said the young wife, "is a perfectly well-bred man." "They are sometimes the most unpleasant husbands," replied the soldier, "severe and polished."

With the exercise of considerable address, and by skilfully drawing his inferences from the conduct of the marquise, the soldier succeeded

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in informing himself accurately of that which we have just related, and although he did not pretend to be a moralist, he could not help wondering at the depravity of these lords, these nobles, who thus perverted things the most sacred, and trifled even with the innocence of those whom they took for wives; but it was not permitted him to meddle with these mysteries of iniquity. When he reached the gate of M. de Lussan's hotel, the porter opened it for them, and they entered; then thinking his mission ended, he was about to leave the marquise, when the latter drew from her finger one of her diamond rings, and begged him to accept it, in remembrance of the danger from which he had delivered her.

IV.

"In remembrance!" said Jerome, casting a sad glance upon the young wife; "yes, I shall long remember this evening, madame; but I beg you do not reward my devotion by a token of value, I should think that you were paying me."

The marquise, touched by these words, took back her diamond, and the porter, perceiving her upon the threshold, exclaimed—

"Here is madame! madame has returned!"

The absence of the young bride was already known in the hotel, and all were still awake. In a moment the court yard was filled with domestics and waiting women. The marquise had scarcely time to receive her diamond again, to draw from her finger the first ring which she could remove, without difficulty, and place it in the hands of her preserver. She then hurried across the court, and regained her chamber. The young man took the ring, and, approaching the porter's lodge, in which a lamp was burning, he carefully examined this token from a woman, from whom everything would, probably, separate him for the future—it was a wedding ring. In her haste to escape the glances of her domestics, deceived likewise by the darkness, the marquise had given away the ring, which the marquis, but a few hours before, had placed upon her finger.

"Her wedding ring!" said the soldier to himself; "this marquise does not deserve that it should fall into so good hands."

A valet-de-chambre, dressed in a coat of black velvet, and with a steel-hilted sword at his side, approached and tapped him upon the shoulder.

"My friend, was it you who escorted madame the marquise to her hotel?" "Yes." "The marquis wishes to see you." "Well, well!" said the soldier to himself, "let him manage it as he will, he shall not have his wife's ring."

He concealed the precious pledge in his bosom, and followed the valet-de-chambre.

The latter conducted the soldier up a small private stair case, and when they had reached a somewhat obscure apartment, he stopped for a moment.

"Comrade," he said to the young man, "this is a fine thing for you. M. de Lussan is generous, nay, grateful, and this is rare in a great lord; you can boldly demand of him some handsome recompense; nay, you can do still better; we have need of a footman; obtain this place." "I am not your comrade," replied the soldier, in a tone which betrayed but little respect for the valet-de-chambre's velvet coat and steel-hilted sword; "my comrades are in the regiment; and then I will be no man's footman; least of all, the footman of your marquis. Come, show me the way, since this is your trade, and let us make an end of it!"

The valet-de-chambre started backward in dismay; to speak of my lord the marquis with this irreverence, and this in his own house, at the very door of his cabinet, whence he could hear all that was said!

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He opened the door respectfully, ushered in the soldier, and retired. The marquis was seated at a table, inlaid with bronze, which glistened in the vacillating rays of a wax taper; his head was leaning upon one of his hands, and, without rising, without even turning, unwilling, doubtless, to interrupt the train of his reflections, he said—

"My friend, madame the marquise has told me all. You have saved her honor, perhaps her life—take this!"

And he reached his hand toward a corner of the table, upon which lay a purse that seemed to contain gold.

The soldier did not move. The marquis turned his head.

"Well, take it!" he said, "ah! you are a soldier! of what regiment? I will recommend you to your colonel." "Jerome Maubert," replied the soldier, "regiment of Champagne—Royal Champagne."

At this name the marquis recalled to mind his adventure of the morning; he was about to rise, but Jerome, with one hand flung the purse which he had just offered him upon the floor, while with the other he held the marquis in his arm chair.

"I should have suspected," he said, "that the coward who insulted me was an infamous wretch. Ha, *mon dieu!* we have expelled a sergeant from the regiment, because he resigned his wife to an officer; and you—you are indeed vile, my lord marquis! The people give their daughters to the nobles, and they espouse them only to ruin them; and—do not stir! you shall hear what I have to say to you—I well knew that I should find you again; I know now your name, and who you are. Unfortunately you have so little courage, so little soul, that I hesitate to demand the satisfaction which you owe me, but which I still must have, however. A brave fellow, like myself, and honest man, to fight with a—you know the word. This, then, is the trade you all drive at Versailles. I should do better to slay you."

The marquis, with a sudden effort, freed himself from the soldier's grasp, and darted towards the bell cord.

"I have but to pull this cord," he said; "I have but to raise my voice, and you are lost!" "And you dead!" replied the soldier, placing his hand upon the hilt of his sword. "I do not think it," rejoined the marquis coolly, taking a pistol from a piece of furniture within reach of his hand, and directing the muzzle toward Jerome.

These two men stood thus, face to face, for a moment, both pale with anger—both equally wounded in their vanity and in their honor.

"We will fight," said the marquis, at last.

M. de Lussan was very brave; but this duel which Jerome proposed to him for the second time, was so entirely opposite to all the customs of the age, that it was by no means in obedience to his natural courage that he accepted it; he wished, merely, to rid himself of a man, who had surprised one of his secrets, and who could initiate the entire regiment of Royal Champagne into the mystery of the mischances of his first night of wedlock.

"I will be at your orders at break of day," added the marquis. "I count upon your word," replied Jerome, returning his half-drawn sword to the scabbard.

He now left the marquis's cabinet, in order to profit by the few hours which remained, and to provide himself with a second. This was a moment of reflection for M. de Lussan. His own illusions had vanished also. For the last nineteen hours, he had been in contact with the people, and the people had gained the advantage over him, and had forced him to bend his head before demands that were truly novel to him. He dissipates his fortune; a man is at hand ready to seize upon his lands—threatens him with the

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baliff, and compels him, if he would escape poverty, to share his titles and his rank with a girl from the lower orders. Notwithstanding his position, his age, and his figure, this girl does not love him; she loves a petty youth of obscure family; he endeavors to instil into the mind of his young wife immorality, dishonorable in truth to himself alone; he treats her with irony—with disdain; she takes him at his word; she flies; she escapes, and covers him with shame and ridicule in the eyes of his domestics. He has a mistress for whom he ruins himself; she deceives him for his wife's lover—and this mistress, he loved her yesterday—the wife, this young marquise, unfaithful by his orders, to whom he has given the right to despise him, he loves her to-day. In the morning he insults one of those men, whom he calls a *vilain;* this man rises erect before him, and arrogantly demands satisfaction. In the evening this man saves his wife, and far from accepting a reward for this praiseworthy act, he scatters upon the floor the gold which is offered to him, and heaps upon him the most cutting and well-merited insults, upon him, a gentleman, a noble, a marquis, a great lord; and in addition to this, this man of the people, this private soldier, wishes to fight—wishes to cross the blade of a commoner with the sword of a noble. Such has been this day to M. the marquis; such the sad trials through which he has passed. Whence arises all this? He has done nothing more than his predecessors have done. The Marquis of Moncade, of whom we have already spoken, did much worse; he subjugated Madame Abraham by impertinent speeches; with a sign he brought M. Mathieu to his feet; it was by raillery that he paid his court to Benjamine, and all trembled before him, while M. de Lussan had succeeded in intimidating no one, while all took advantage of him or braved him. And why was this? It was because, in 1728, when Dallinval brought upon the stage that character, to-day fortunately unknown, the people were sixty years younger; but in 1788, beneath the embroidered habit of the marquis, the people saw the man, and they judged him. M. de Lussan stood convicted of cupidity, of arrogance, of dissolute manners; there was now but one thing left which he could prove, to wit, that he was brave, and, as we have seen, he took this step with sufficient readiness.

"It appears," he said, "that the cheek of a man of the people has become as sensitive as that of a gentleman! Very well!"

In other respects, impelled by the force of circumstances to engage in this duel, he was not, in the slightest degree, embarrassed by the thought. That which M. the marquis understood the best, was to handle the sword; not the weapon wielded by the nervous arm of his ancestors, but that small, triangular sword, so rapid in its movements, the point of which escapes the eye, and strikes before the antagonist can parry. Since he had humbled his pride to this degree, he resolved to appear upon the ground with a heart free from the scruples which disturbed him; he proceeded towards the marquise's chamber. The latter had not yet retired to bed, and still agitated by the occurrences of the night, she had not observed until this moment that her finger was already widowed of its wedding ring. But without attaching any sad presentiment to this circumstance, her thoughts returned to the young soldier who had succored her so opportunely. Neglected by her husband—abandoned by him whom she had loved—a stranger, one unknown to her, had extricated her from the peril into which she had been thrown by her natural protectors. The marquis entered.

"Ah, sir," she said, "you have seen my preserver?" "Yes, madam." "And you have treated him well?" "As well as I could, madam." "Is he satisfied?" "Nothing is, as yet, decided between us, madam; I am to see him, and I hope that he will be so. But madam," added the marquis,

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with an air of gallantry, which now had not the slightest shade of irony, "it is not precisely on account of this young man that I am here; my visit has another object." "Indeed." "Yes, madam, I am here to speak to you of myself. But a few hours united to you, I have already been guilty of several offences toward you. If you will be so kind as to remember how rarely I have had the pleasure of seeing you previous to yesterday—how slightly I was acquainted with you, you will show me some indulgence." "Oh, sir!" "No, madam, I was ignorant, even yesterday—of the treasure which I had acquired in espousing you. To speak frankly, I blush when I remember what I said to you an hour since. You, so beautiful, so young, so full of attractions, I abandoned you to the society of a man, who does not merit ——" "M. Cressy," said the marquise, "a shameful man!" "I think so." "Whom I will never see again." "I came to beg this of you. I, madam, desire, henceforth, to enjoy alone the charm of your society. We will set out for my estate of Lussan; but alone—do you not say so?" "As you please, M. de Lussan. I will accompany you wherever you may see fit to go, provided you will never allow M. Cressy to enter my presence." "I promise it," replied the marquis, "he is more culpable towards me than towards you." "That is scarcely possible." "I reserve to myself the pleasure of proving it to you, when we are better acquainted; and now, madam, retire to rest, and promise me to set out to-morrow."

It was a favorable augury, which M. de Lussan wished to obtain, for the day, so long in the month of July, was already dawning, and Jerome Maubert must be waiting for him.

He saluted the marquise, kissed her hand with an air of gallantry, and left the hotel, followed by his valet-de-chambre. He had proceeded but a few steps when he met his adversary.

The regiment of Royal Champagne was, at the time of which we speak, in garrison at Amiens. But in the faubourg Saint Denis, two steps from the barber's, in whose house Jerome Maubert had taken up his abode, there lived an officer, who, like the soldier, was at Paris on a furlough. He was an old man, still hale and robust, who had served in the army for thirty years, and who, thanks to great courage and powerful patronage, had reached the rank of a sub-lieutenant; he was what was called a soldier of fortune, that is to say, a man made to be commanded by a colonel of fifteen years, and who ought to esteem himself very fortunate at having, a commoner as he was, acquired even the lowest grade. It was in the bosom of this old officer, that Jerome, after he had been outraged by the marquis, came to pour his griefs.

"My lad," said the latter, "you must be silent, and swallow the insult, for you will never succeed in obtaining either justice or satisfaction. I will keep your secret." "It is impossible! impossible!" cried Jerome. "Well, then, you must assassinate him, and take your own life afterwards. You will not be the first."

This man, soured by misfortune and injustice, was by no means slightly astonished when Jerome awoke him in the middle of the night, to request him to serve as second to an obscure soldier, who was about to obtain honorable satisfaction from a marquis. They soon reached the boulevard, where they paused.

"You are acquainted," said the marquis, addressing the old officer, "with the insult inflicted upon Jerome Maubert yesterday morning?" "Yes, my lord marquis," replied the latter, bowing. "I have come to give him satisfaction. Whatever may happen, you will be able to say to your comrades, that, if Jerome has been insulted, he has, at least, obtained the only reparation which a soldier can demand."

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While the two adversaries were removing their coats, the old officer approached Jerome, and whispered—"Do not kill him; he is a gallant man!"

The young soldier had his own opinion on this subject; but in taking off his coat, he felt beneath his hand the ring which the marquise had given him, and some inexplicable emotion caused him to look upon the counsel of his second as a warning from above. The combatants crossed blades; the marquis thought himself skilful in the use of the small sword. Jerome was so in reality. The two weapons gleamed, crossed, repulsed each other. After a few passes, the marquis received a wound in his right side; he staggered, and Jerome's sword sent that of his antagonist flying to a distance of ten paces.

"Are you satisfied?" said M. de Lussan, in a feeble voice. "I am," replied Jerome. "You are but slightly wounded, sir, and you must see that I have acted generously toward you; for you have not the skill to contend against me, and your life was in my hands."

This occurrence became a general topic of conversation for the city and the court; some praised, some blamed the condescension of the marquis; at Versailles they were startled at it. The marquis, reassured by his surgeon as to the result of his wound, which was, in reality, very slight, left Paris the same day for his estate, accompanied by the marquise, and the affair was forgotten, as every thing is forgotten at Paris and at the court. It was remembered much longer in the regiment of Royal Champagne; here the soldier, Jerome Maubert, who had wounded a marquis in single combat, was, for a long while, an object of the admiration of his comrades, and of the distrust of his superior officers.

In 1794, six years after this event, the soldier, Jerome Maubert, commanded a demi-brigade in the army of the Sambre-and-Meuse; in other words, he was what is called, in our days, a colonel. Sent to Paris as the bearer of despatches to the minister of war, he wished to revisit the spot where his duel with the Marquis de Lussan had laid the foundation of his military fortune, for it was this duel which had rendered him an object of attention, and which, when the royalist officers of Royal Champagne retired before the march of the Revolution, had acquired for him his first grade. In proceeding toward the boulevards, he recalled to mind that young and pretty marquise, who had fallen into such evil hands, and he glanced with some emotion at the wedding ring of Madame de Lussan, which he still wore upon his finger. He soon discovered the shop of the fruiterer, to which he had carried the swooning marquise. The woman was standing at her door; he approached her.

"*Citoyenne*, can you give me tidings of the ci-devant Marquis de Lussan, whose hotel stands but a few steps from here?" "The *ci-devant* de Lussan?" replied the fruiterer's wife, "he is dead! he died from a wound received in a duel." "Six years ago?" asked Jerome, in affright. "No," said the woman, "only six months since. It happened in this way:—Eighteen months ago he had a quarrel with a good patriot, the wheelwright on the corner; the latter struck him in the face, and the *ci-devant* marquis wanted to fight him. The wheelwright, at first, refused, because, you see, my friend, a man should know how to keep up his rank; a patriot cannot stoop to measure swords with a ——. However, the wheelwright had struck him, and he had the condescension to give him satisfaction. He killed him."

Jerome's head sank upon his bosom.

"The wheel of fortune turns," he thought, "but men are still the same. And the *ci-devant* marquise!" he said. "The *citoyenne* marquise! Oh,

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she is the bravest woman in this quarter! she has equipped ten grenadiers during the past decade."

Jerome had the honor to present himself at the marquise's dwelling; he offered her his protection, which, in those times, was not to be disdained by a young and beautiful woman, who was rich, alone in the world, and who bore a title, then proscribed. This protection was so useful to the young dame, that she soon exchanged her name for that of Maubert, and then Jerome returned to her her wedding ring.

Madame de Saint-Didier, who, seduced by Cressy's beauty, had attached herself to his fortunes, and who was far from being satisfied with the principles of the Revolution, emigrated with the man whom she loved. They both sought to find dupes in Germany. They lived by gaming; and while the marquise laid aside her title, and assumed the name of Maubert, Cressy, at Coblentz, styled himself M. the Marquis de Cressy.

LANGUAGE.

Every subject connected with the origin, character, and progress of man, ought surely to be interesting to man. Whether he be viewed physiologically, morally, or intellectually, he is an object of wonder and astonishment.

In the structure and economy of the human body, what genius, skill, and power are displayed!

How admirably calculated to secure the great design of the Creator; yet this is but the grosser and less important part of man. It is alone when viewed as a moral and intellectual being, that he rises in the scale of existence. He then towers vastly above all other creatures that inhabit the earth.

The existence of the moral sense and reason constitute his distinguishing characteristics. It is by the former that he controls himself, regulates his social intercourse, appreciates his high destiny and his relationship to God, and distinguishes between good and evil. By his intellectual powers, he acquires the knowledge of facts, observes their connection, and traces the conclusions that arise out of them. To acquire and to exercise these high attributes of his nature, it is essential that mankind should possess language.

We shall therefore inquire into the *history* of the origin and progress of language.

Language, like every other common blessing, is rarely properly appreciated. From our earliest recollections we have enjoyed the privilege of conveying our wishes and expressing our desires orally. With what intense anxiety does the mother watch the gradually unfolding powers of the mind of her child. How unremitting and persevering are her efforts to impress the mind with ideas, and give them utterance in words. With what delightful and thrilling emotions does she hear its first successful efforts at articulation. It is only by contrast that we can correctly determine the extent of our privileges or privations. We may form some estimate of the value and importance of oral language, by contrasting the condition of those who are destitute of its enjoyment with ourselves. The dumb cannot express audibly their griefs or their sorrows, their emotions or their de-

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sires. They cannot convey to others, "in thoughts that breathe, and words that burn," the noble sentiments of their minds, or the thrilling emotions of their hearts. They cannot arouse the passions, or ally them—excite to anger—prompt to revenge. They cannot control, by the irresistible power of eloquence, the feelings and actions of the whole man. Music, that great refiner of the feelings, which frequently arouses the sleeping energies, and calls into active exercise all the powers of man, cannot be exercised or enjoyed without the aid of language. Speech is the most powerful of all the means by which one human being can control another.

Music and language are so connected and interwoven, as to justify the conclusion that they have never existed apart. Some writers have, however, contended, that the former preceded the latter in the progress of man. Although the dumb do not possess the power of communicating with each other by means of oral language, the inventive genius of man has provided a means, by the use of signs, which enables them to hold converse with one another. The language of signs, however, is not of recent invention. It was known to have been early practised. In Rome it was carried to great perfection. It is related that Roscius, the player, used to contend with Cicero—he expressing the passions, emotions, and ideas by gestures, and Cicero by words.

In reference to the origin of language, several theories exist. The learned have expressed various opinions on the subject.

Some have contended that originally there was a universal language, resulting from the fact that language is natural to man. Others, again, insist that man merely possessed the capacity for language, and that it was acquired by gradual development, resulting from necessity, like most other faculties. We propose to examine these two theories, commencing with the latter, to wit, "That man merely possessed the capacity for language, and that it was acquired by gradual development, resulting from necessity, like most other faculties." In tracing the history of man, as exhibited in profane history and tradition, there exists some reason in favor of the position now under consideration. It is very certain that man, in his primitive state, had few desires. The earth yielded spontaneously all that was necessary for his sustenance. The arts and sciences were not needed in the early periods of the world; man roamed at large, pitching his tent upon the mountain top, or amid the luxuriant vallies; all nature ministered to his wants, and gratified his desires. Whatever therefore may have been the original means by which the human race communicated to each other their wishes and their desires, it is *alledged* that then no systematic language could have been formed. It is insisted that it is not rational, neither is it in accordance with the economy of the Divine Being, to conclude that any thing would have been created or produced that was not needed. It must be admitted that the grammatical construction of language is an art of a very high character; that it is governed by the character and condition of man—that it increases in extent and variety as man progresses in civilization and refinement. The language we use, to the Esquimaux would be unintelligible; the things signified by most of the words we employ do not exist among them. All the powers we possess are either natural or acquired. Our natural faculties, or those which first display themselves, are few, and easily defined. When we first enter into the world, we possess the powers of motion and instinct. The first of these manifests itself to all those who look upon an infant; the second is made apparent by the desire and consequent effort of an infant to draw nourishment from the breast of its mother. The senses gradually unfold themselves, ministering to our pleasure—filling the mind with a knowledge of external things, and (if

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properly directed) evolving its powers, and rendering useful its faculties. In viewing man in a state of nature, without having enjoyed opportunities for mental or moral culture, he is degraded in the extreme, and rises very little above the brute. There are numerous instances mentioned in history, not only of isolated individuals living, like brutes, in a state of nature, but likewise whole communities.

Diodorus Siculus mentions several nations that lived without exhibiting any evidences of civilization. He speaks of a nation or tribe called *fish-eaters*, who lived between the Indian Ocean and the Red Sea. They were entirely unclad, and subsisted by fishing. The means employed by them in catching fish consisted in making dykes, or mounds, with stones, to prevent the fish, which had passed over during the flood, from escaping at the ebb. Our author further declares, that they employed themselves four days in fishing; they then left the coast in a herd like cattle, and made their way to some springs in the upland country, where they ate the fish and drank to excess, after which they returned to the coast again. They possessed no language, but made inarticulate cries.

He mentions another tribe, called "Insensibles," that lived upon the coast of Africa. They herded with other animals, caught fish like the seal, and shared with that quadruped the result of their labor. They possessed no language.

Heroditus, one of the most authentic of the ancient historians, mentions several nations or tribes, residing on the African peninsula, whose habits and character were similar to those above described. He speaks particularly of the Troglodites, who fed upon serpents and other reptiles. They possessed no language, but uttered a sound like a bat.

Leo Africanus affirms, that he discovered many tribes in the interior of Africa, of similar habits, without any traces of civilization.

It is stated by a descendant of the Incas of Peru, that previous to the conquest of that country, the inhabitants herded together like other animals, and knew no wants except those which nature prompted; they possessed neither arts, religion, government, nor language.

The above instances (if taken as authentic) prove that there have been tribes of the human species that lived without either language or any traces of civilization. It is a well-established fact in the philosophy of the human mind, as well as in physiology, that without proper culture the generations of men will deteriorate. History unfolds the fact that whole nations have become extinct, leaving no traces of their original identity. Other nations again have been merged. In the first periods of the world, men formed associations from necessity, resulting from fear of assault. The stronger assailed and frequently subdued the weaker. The latter fled before the former, and were thus sometimes driven into sterile and barren regions, as the only places of safety from their rapacious or blood-thirsty pursuers. Under these circumstances, all their efforts were required to procure sustenance; their minds were neglected in their efforts to sustain their bodies. Thus they deteriorated, and as generations passed away, they continued to deteriorate, until they were reduced to the lowest human degradation. We think the above will sufficiently account for the state in which so many tribes of the human species may have been found.

According to the theory we are now considering, man might originally have emerged from the brute creation. Those who thus contend do not avow that fact, but their reasoning would seem to lead to that conclusion. Lord Monboddo, a distinguished writer on "the origin and progress of language," asserts in distinct terms, that there were men originally in Europe so nearly allied to the brute, as to exhibit in their persons the *peculiar* conformation of *that species.*

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The idea entertained by some, that the brutes possess a language, results from a misapprehension of the true philosophical meaning of the term. Language consists of two things—first, sounds; second, the conceptions of the mind signified by sounds. Except, therefore, it be contended that the brutes possess the capacity to reason, they cannot exercise the power of language. The connecting link between the human species and the brute is so close as regards their external conformation, that men who were possessed with the opinion that language is acquired from a necessity resulting from circumstances, might easily mistake the highest grade of the brute for the lowest grade of the human species. Whilst it is admitted that man in a state of nature, or without the advantages of an organized society, can be reduced to a lamentable degree of degradation, we are not prepared to admit that he ever has existed without language. The instances referred to by those who contend for the theory we have presented, are taken from authors whose authority is (to say the least of it) *apocryphal.*

(TO BE CONTINUED.)

POPULAR PORTRAITS WITH PEN AND PENCIL.

GOV. WILLIAM SMITH.

In presenting a sketch of the life of the distinguished gentleman whose name stands at the head of this article, we encounter a diffidence natural to one who attempts to pourtray the character of the living. The restraint which a just regard for the truth and impartiality of history imposes, shall prevent what was designed to be a truthful sketch, from degenerating into the fulsomeness of mere eulogy.

The rising and wide-spread fame of Governor Smith may not be co-extensive with the limits of the Union; but his character, principles, and talents have for many years so identified him with the political agitations and prospects of Virginia, that in the broad limits of that ancient Commonwealth, no man is better known; none more honored and beloved. While this succinct history of an eminent Virginia statesman will be interesting to the citizens of his native state, we cannot but believe it will be read by others with some degree of interest and pleasure.

Governor Smith was born in the county of King George, Va., on the 6th day of September, 1797, of a highly respectable and wealthy family. His father, Col. Caleb Smith, acquired and maintained, through a long life, the personal esteem and political confidence of the people of his county, who repeatedly honored him with a seat in the Virginia Legislature. William, at about the age of ten years, was sent by his father to reside a short time in the family of the late Judge Green, who was then a lawyer of extensive practice in Culpepper county, that he might be able to give an opinion in regard to the capacity of the youth, and his ability to receive a classical education. The opinion of the judge being very favorable, William was sent, in 1811, to Plainfield, Connecticut, to commence his academic

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course. At this early age, he was distinguished for industry and mental vigor in the prosecution of his studies.

In the war of 1812, fired by that ardent and generous spirit of patriotism, which in his subsequent life forms a distinguishing trait in his character, William earnestly besought his father to obtain for him a midshipman's warrant, and was in consequence called home. Failing in this, he acquired what may be considered a liberal and classical education at the celebrated school of Thomas Nelson, in Hanover county, Va., and at a private school taught in his father's house.

Destined for the profession of the law, he commenced its study in the office of Judge Greene, continued it with Thomas L. Moore, Esq., a lawyer of high reputation, and concluded it in the office of General Winder, of Baltimore. He commenced the practice of the law in the county of Culpepper, in August, 1818, at twenty-one years of age, and soon gave bright earnest of distinction in his profession.

Firm and decided, at this early period of his life, in his political views, and zealous in their advocacy, he soon took an active part in the political controversies of his adopted country. With him the doctrine of man's capacity for self-government was no mere theory, assumed to gain popular favor. It was the result of his solemn conviction and of his best considered judgment. When he had occasion to dwell upon the truth and importance of democratic principles, before the people, his earnest and impassioned manner gave evidence that he spoke from the deep convictions of his heart. The love of republicanism, in his bosom, was a glowing passion; and if its fires ever slumbered, they were always ready to blaze and give light, when stirred by the breath of the people.

About this time Governor Smith was united in marriage to Elizabeth, the eldest daughter of the late James M. Bell, of Culpepper. Providence rendered this union both happy and fruitful.

Desirous of improving his fortune, he established a line of post-coaches from Washington to Lynchburg, and soon extended it, on a large and expensive scale, through the states of Virginia, North and South Carolina to Milledgeville, in Georgia—a distance of 650 miles. At that day there was no railroad in these states; and this line, which ran daily through a beautiful tract of country, called the Piedmont region, always commanded an extensive travel. The whole country through which it passed rapidly improved; and Mr. Smith, from his untiring exertions in this laborious and expensive enterprise, was its acknowledged benefactor. After ten years of diligent and indefatigable labor spent in this praiseworthy scheme to improve his fortune, the enterprise was found to be successless in this respect, and was abandoned.

Buoyed by his native elasticity of mind, Mr. Smith did not stop to contemplate and lament the failure of his cherished schemes, but again betook himself with energy of purpose to the practice of his profession, which had greatly declined from neglect caused by the diversion of his energies to other pursuits.

Blessed with industrious and moral habits, a talent and love for patient and profound investigation, and possessing a sound judgment, his studied efforts at the bar were always characterized by striking ability. He seized upon the strong points of his case, and pressed them with earnestness and convincing power, and perspicuity. In forensic debate he is a master of no ordinary skill; always ingenious, and displaying great acumen and an admirable ability in rallying to the argument, when engaged with the most shining intellects of the bar. As an advocate and criminal lawyer he has not many equals.

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For fifteen or eighteen years previous to entering public life, Mr. Smith had been an active and useful laborer in the republican cause. In the contest between Clay, Crawford, Adams and Jackson, in 1824, he warmly opposed the election of Clay and Adams, and preferred Crawford's election to that of Gen. Jackson. In 1828, he cordially supported the claims of Gen. Jackson to the Presidency, and ever afterwards continued his ardent admirer and personal friend; his efficient advocate and supporter. He sustained his administration with the exception of the proclamation, to the doctrines of which he was decidedly opposed. He approved Gen. Jackson's veto of the U. S. Bank and his removal of the deposites. The policy as well as the power involved in this latter act were alike clear to his mind. He took bold and decided ground upon the French indemnity question, sustaining the administration in its policy and measures upon this delicate and important subject. On all these questions of political controversy, he soon formed and fearlessly expressed his views. He never sought to gain popular favor by duplicity or reserve.

He admired the talents and approved the political sentiments of Mr. Van Buren, and ably advocated his election to the Presidency in 1836. Mr. Smith's own county was strongly federal in its politics; and the violence of its opposition to Mr. Van Buren's election was bitter in the extreme. This was the character of the opposition of the Federal party to his election throughout the state. They affected to believe Mr. Van Buren unsound upon the slavery question. Some persons, in their illiberality and excess of party feeling, went so far as to charge Mr. Smith with abolitionism, because he openly advocated the election of this distinguished *northern* statesman. Excited by these attacks, Mr. Smith repaired to the hustings, that he might, before the honest masses, expose the falsity of these charges, and demonstrate the soundness of the political opinions of Mr. Van Buren, the republican candidate for the Presidency. In these efforts he was eminently successful: his adversaries were foiled in their attacks; and his own fame, as a fearless and talented advocate of democratic principles, greatly enhanced.

The people immediately resolved to call Mr. Smith from private life, and in the spring of 1836 he was elected to the Senate of Virginia for four years. Here he exhibited a knowledge of finance and of the fiscal condition of the banks, then generally suspended, worthy of the oldest and most experienced financier. In and out of the Senate he waged a fierce and unceasing war against the system of banking, and against corporations generally, because, in his judgment, they were based upon principles unequal, unjust, and anti-republican; in direct conflict with the theory and spirit of our institutions, and destructive to the best interests of the country. His whole course in the Senate of Virginia upon these questions of state policy, proved him to be a bold and original thinker; a fearless and enthusiastic reformer.

He was the acknowledged leader of the democratic party in this body, which was then distinguished for its learning and talents. A portion of both parties proposed to make him their presiding officer; but his political friends, unwilling to lose his services on the floor, at this important crisis, declared that they, and not the opposition, would elevate him to this office, if he desired it. Mr. Smith declined this honor.

It was at this time that his political opponents first applied to him the epithet "*radical.*" If by radicalism were meant his earnest efforts to abridge the powers of those combinations of wealth, which seriously impaired the liberty and equal rights of the people, then was Mr. Smith guilty of the charge. He was ever opposed to all unnecessary encroach-

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ments and restraints upon the rights of the masses. Constitutional liberty and laws he admired and cheerfully supported; class legislation he despised and resisted. Wealth, with its attendant circumstances, gave to the principle of aristocracy sufficient power in its contests with popular rights, without adding the force of special laws for its guidance and advancement.

In the exciting election of a U. S. Senator to succeed Mr. Rives, whose term of service would expire in March, 1839, Mr. Smith delivered a speech of great length, in the Senate, replete with strong and irresistible argument, and adorned with fervid and glowing eloquence. There were three candidates in nomination for that high office, each of whom had done the state some service; and, to use the language of Mr. Smith upon that occasion, "all of whom possessed, in a very high degree, those virtues which illustrate and adorn society." The Conservatives, about fifteen in number, certainly not exceeding twenty, supported Mr. Rives. The Whigs numbered about eighty. The policy, perhaps, the agreement was, that the Whigs would vote for Mr. Tyler, knowing he could not be elected; the Conservatives would do the same for Mr. Rives, confident of a like result; until each faction might with a good grace declare, that they had honestly endeavored to procure the election of their respective candidates. Then all proper rules of action were to be reversed; the larger was to yield to the smaller party; and the few Conservatives, with the aid of the Whigs, would elect Mr. Rives.

Upon this anomalous position of parties, Mr. Smith remarked: "Mr. Speaker, what train of reflection ought this extraordinary state of things to excite? Ought we to look at it as a subject of ridicule or regret? Ought we to laugh at the vows which the tongue utters 'when the blood burns,' or mourn over the frailty of our nature which makes us forget them. You recollect, sir, how Mr. Rives was denounced. 'The human wit ranged the whole field of language to *file* the tongue with words of bitterness. You, sir, have, no doubt, often witnessed his revilers stretch out their arms to yon bright vault, and call God to witness their oath of eternal hatred to him. Sir, often have I heard one of his most eloquent champions now, abuse him in byways and in highways—in season and out of season—from the bar-room to the rostrum—in terms of bitterness only limited by his own happy powers of denunciation, and the proverty of his mother-tongue. Yes, sir,

> "He would drown the stage with tears,
> And cleave the general ear with horrid speech;
> Make mad the guilty and appal the free;
> Confound the ignorant, and amaze, indeed,
> The very faculties of eyes and ears."

At another time, and in another mood, he would 'fall a cursing like a very Arab.' Yes, sir, I have heard it declared by this eloquent Whig, that he preferred Mr. Rives to any man living or dead—to Mr. Morison, if he were on earth in the zenith of his fame, and in the full possession of all his noble faculties. What a change has come over the spirit of his dream! No more do we see the smile of scorn, or hear the howl of indignation for imputed sins, yet unrepented. No more do we see the disposition to cut him off, even in the blossoms of his sins, 'unhousel'd, unanointed, unanealed;" but now, to use a quotation of Mr. Rives himself, 'they are trusty and well-beloved cousins all.' "

Whether the Whigs, confiding in their actual strength, should persist in sustaining Mr. Tyler or go over to Mr. Rives; whether the Conservative *squad* should remain together or disperse, was a matter which in no wise

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would affect the course of the gallant band of which Mr. S. was a distinguished and invaluable member. He could not support Mr. Rives, because, according to the evidence before him, he did not hesitate to believe that he was unfriendly to the Administration;—duty to himself—to his constituents—to the south—to the whole country—forbade it. Unawed by power, unbiased by self-interest, he carefully and anxiously considered his *duty*, and that commanded him to sustain one friendly to the Administration.

As the concluding part of Mr. Smith's speech upon this subject is so characteristic of his efforts in the main, and withal, so graphic, beautiful, and descriptive of his feelings and sentiments upon the broad lines of distinction between the two great parties, we hope we shall be excused by our readers for making the following extract:

"Mr. Speaker," said Mr. S., "let me here pause, and for a brief space contemplate the moral grandeur of our position. While the Whigs, greatly stronger than the party with which we act, are, as is supposed, about to commit an extraordinary act of political prostitution; while the Conservatives are ready and anxious for that unholy embrace, from which no good can come, we, deficient in numbers, yet firmly stand upon our principles, recognising *no necessity* for their abandonment. Conscious that our destiny may be defeat, and deeply anxious to conquer, we yet sternly resist all the seductions of temptation—confiding in the justice of our cause, and the wisdom of the people, we fear not defeat, satisfied that it will enrich that victory, which, sooner or later, we must certainly achieve. Our principle, sir, the democratic principle, must win favor as it is understood. It is a principle of humanity, benevolence, and love. It seeks to abuse no man, but to elevate all. It seeks to alleviate human suffering—to bind up the broken-hearted—and to make us love one another as ourselves. It labors to purify the affections, and expel from the human heart that selfishness which is the source of such innumerable woes. It teaches, without ceasing, the lofty principles of unadulterated philosophy, in order that man may be all that the creature should be, who is made after God's own image. It is a principle of renovation and change, with ceaseless efforts for the happiness of man, and bears the same relation to the moral, that the Christian principle does to the religious world. The principles of both are love; for both seek the happiness of man. The one seeks to perfect the character of man here below; the other, in addition thereto, seeks to make him fit company for the society of just men made perfect. In fact, the only difference between these vital and glorious principles, is, that the one is of earth, the other of heaven. Our principle teaches us that *all mankind are free and equal.* Impress this doctrine upon the heart, and we must love our brother as ourself. Let us do this, and we must have charity and humility; and then, sir, with our hearts thus purified and attuned to love, the Christian laborer has nought to do, but to invoke the regenerating principle of Divine grace. The democratic principle is the grand moral adjunct of the Christian principle; and it is the bounden duty of every son of heaven to spread it far and wide. Sir, the foe of the democratic principle is the aristocratic principle. What are its characteristics? Pride, vainglory, and ambition. It turns with loathing and disgust from the laboring millions; it considers the many as only fit to be hewers of wood and drawers of water. Its affections are of this world, and it goes up into high places, and thanks the Lord it is not as that publican. What chance has the Christian laborer here? And such is the principle which regulates the political conduct of a very large portion of our adversaries. Is it then wonderful, Mr. Speaker, that our principles should have borne us on conquering and to conquer? Is it wonderful that under its rule we should have determined to bear our banner aloft, resolved, as I have before remarked, 'to conquer or die' beneath its ample and imperishable folds."

In 1840, Mr. Smith was re-elected to the Senate of Virginia without opposition. He became a candidate, the first time, with great reluctance,—his business engagements scarcely allowing the sacrifice. The Senator of the district who had been elected as a republican, having changed his po-

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litical opinions, the democratic convention which assembled to nominate his successor, conferred the nomination upon Mr. Smith. This honor he declined, and was induced to accept it only when again tendered; and it thus became, in the view of his friends, a party duty. In this way he commenced his public career. When nominated for the second senatorial term, he consented to be a candidate in consequence of the impending Presidential election, with the distinct understanding that he should be permitted to resign. Accordingly, after serving one year of his new term, he retired from the Senate, in which he had formed strong personal attachments, and won for himself an enviable reputation.

In the memorable Presidential contest of 1840, the Whig party in Virginia boasted that they would carry the state by a large majority. They had become so confident, that they issued a challenge from the Democratic county of Rockingham, in the form of a circular, to the Democrats, to meet them at an appointed time for the discussion of the issues involved in the canvass. The Democrats of that Gibraltar county readily accepted the challenge. Mr. Smith had been the first to measure strength with Mr. Rives, who had strangely left the party with whom he previously acted, and whose principles he had always advocated and defended with surpassing eloquence and talent. But he had now become the bitter and uncompromising assailant of that party. He had traversed a large portion of the state, pouring out the vials of his eloquent and burning wrath—composing his face for the manifestation of woe—attuning his voice for the expression of lamentable sounds—and then enacting the part of "Volney, sitting upon the ruins of Palmyra, bewailing the downfall of states and empires."

This declaration of war, thus fiercely waged, exciting somewhat of a panic in the Democratic ranks, all eyes were turned to William Smith, whose powerful advocacy of republican principles had already endeared him to the hearts of the Virginia Democracy, and inspired unwonted confidence in his ability to battle successfully for the same sacred cause. He was honored with special messages from different sections of his native state—and from Ohio and North Carolina, earnestly urging him to come to the rescue. At this threatening crisis, he could not turn a deaf ear to these repeated solicitations. He entered the arena of political strife; and right nobly did he bear himself in the heat of the contest for six laborious months.

He contended successfully with William C. Rives, Gov. Barbour, Judge Baldwin, Stuart, Summers, and other distinguished men of the Whig party. He more frequently encountered the two first named gentlemen; and it may be safely affirmed, that in all this great intellectual strife, his opponents never claimed to have triumphed over him in debate.

Ambitious that Virginia, the democratic flag-ship of the Union, who had weathered many a federal storm, should outride this, the fiercest of them all, unhurt, through summer and fall he was still toiling in this great effort. Virginia was saved—saved, we unhesitatingly affirm, without fear of contradiction or invidiousness, by the unparallelled exertions and personal sacrifices of William Smith.

Not willing that his talents and services should be lost to the country, the people of his district soon looked to him as their proper representative in Congress. When either party is largely in the ascendant, the jealousies of rival aspirants are apt to produce dissensions. In this district the democrats had a clear majority of five hundred. A Democrat had announced himself a candidate, independent of a convention. A Whig was in the field, buoyant with hope and confident of success. Under these circumstances, although earnestly pressed, Mr. Smith refused to accept a nomination; and

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by unusual exertions *secured* the election of the democrat. At the ensuing election, the same circumstances existing, he again refused to yield to the solicitations of his friends, and advocated the election of the same gentleman. The dissatisfaction of the democratic party had now become irrepressible. A third election was at hand; and his party almost imperatively demanded his acceptance of a nomination. He yielded to this demand; and against a united and untiring opposition, triumphed over both Whig and Democrat by some four hundred majority. This election afforded a fair test of his great popularity at home.

Mr. Smith served in Congress but one term. By re-districting the state and by his removal to Fauquier county, he was placed in a district hopelessly federal in its politics by a majority of more than 900. Brought out by his friends as a candidate for Congress in this district, against a talented and popular opponent, in a single canvass, he reduced this majority to 265.

Although his career in Congress was short, upon the prominent questions of Bank, Tariff, Distribution and Loan bill, it was marked by a degree of research and talent which raised and extended his reputation as a statesman; gave satisfaction to his true and admiring constituents; and sustained the character of the district which had been represented by James Madison.

Governor Smith advocated the Independent Treasury scheme in a series of numbers in the Richmond Enquirer, over the signature of "Attalus," before it was recommended by Mr. Van Buren.

His speech on the Tariff was one of masterly ability. It exhibited an array of facts, admirably arranged and generalized; and was used by many in the Presidential canvass of 1844 as a political *vade mecum*—one member, from a distant state declaring, that he had rode into Congress upon it. Upon every question of interest Mr. Smith showed himself the able debater and efficient representative. His short career in Congress gave good earnest that he would soon have attained a position of the highest distinction in the halls of legislation.

In 1843, when Mr. Calhoun and Mr. Van Buren were considered rival aspirants to the Presidency, Mr. Smith took no part in the contests of their friends. His preference, before the Texas question arose, was unknown. For Mr. Van Buren, personally, he entertained the highest respect; his principles and talents he esteemed and admired. He cherished admiration for the mighty intellect of the great South Carolinian, and sincere homage for his person.

In 1844, Mr. Smith was chosen the Democratic elector for the then only Whig district in the state; and was thus opposed, perhaps, to the most popular and talented Whig elector in Virginia. They met upon repeated occasions, and it was the "war of the giants." But he was not permitted to confine his labors to his appointed district. The distinguished and invaluable services which he had rendered his party in the campaign of 1840, were fresh in their memories; and he was called from his district to encounter the toil of a more general conflict. As in all former times, so in this, he was ready for the contest. As in all former crises, so in this, he was

> "our liveliest pledge
> Of hope in fears and dangers, heard so oft
> In worst extremes, and on the perilous edge
> Of battle when it raged; in all assaults
> Our surest signal."

The bright sword, which he had so successfully wielded in the celebrated contests of 1840, had not rusted. It was again taken from its scabbard and used with vigor and effect. With inextinguishable zeal and unwearied

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diligence, he traversed every portion of the state, proclaiming the great doctrines of popular freedom and political equality. Success everywhere attended his efforts; and again Virginia triumphantly passed through the battle and the storm, giving to Mr. Polk a larger popular vote than she had ever given to any President.

Governor Smith had long been looked to in Virginia as a prominent candidate for a seat in the United States Senate. He was the choice of the Democratic party for that office. Too many evidences of this fact had been given to doubt its truth. A day in January, 1846, was fixed by the Legislature as the time for electing a Senator to succeed the Hon. William S. Archer, whose term of service would expire by limitation on the 4th March, 1846. According to well-known usage, a caucus of the Democratic party was held, in which Gov. Smith received, as is believed, every vote but one. The friends of the Governor thought his election secured. When the day arrived he received 70 votes on the first ballot; his successful Democratic competitor 23. With the aid of the Whigs this gentleman was elected. In the succeeding election for members to the Legislature, out of that 23, but three of those who were candidates for re-election, were returned; and since that time others of that number have been thrown aside by their party.

That it may be seen with what zest the Whig party voted against Mr. Smith in this election, and also in what estimation he is held by that party as an efficient advocate of the Democratic cause, the following circumstance, believed to be substantially correct, is here narrated. A leading Whig politician came to Richmond during this election, and when some of his party spoke of casting their votes for Mr. Smith, he said with warmth, alluding to Mr. Smith's election to the office of Governor, "You have got the lion chained, in God's name keep him so. Do not let him loose in the campaign of 1848, by electing him to the Senate."

In December, 1845, Mr. Smith was elected Governor of Virginia for three years from the 1st January, 1846. This was a highly popular appointment; and under the then and present circumstances, the most judicious selection that could have been made. The existing war with Mexico required Governors of states who were prompt to conceive and energetic to execute the measures demanded by the crisis.

Governor Smith is an informed, practical and patriotic statesman. No sickly sentimentality and closet philanthropy sway his mind and acts. These enervating affections, which have caused others to forget the honor and interests of their country, and have made them willing, in a spirit of cabal, to see that country ignominiously confess to the crimes of injustice, robbery and murder, have no place in his mind. Patriotism with him, as in the days of the ancient republics, is an overshadowing virtue. The love of country, which led him in his boyish days, during the war of 1812, to seek a midshipman's warrant, yet moved his heart. Its fires had only slumbered, to be rekindled with freshness and brilliancy, when the stirring occasion should arise. The Mexican war afforded an opportunity to Governor Smith for the frequent and eloquent expression of the patriotic impulses which glowed in his bosom, and urged him to give early, practical form to the prompt measures which his vigorous mind had conceived.

Governor Smith's messages bear striking characteristics of his mental constitution. They are bold, original, fervid and eloquent. In these he again displays the *radical* and progressive features of his mind. While for the Union he cherishes the most profound regard, for his native state he feels intense affection. Her people esteem and honor him; and her progress in wealth and happiness occupies his anxious thoughts. He desires to see her rivalling the most prosperous of her sister states in their advance-

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ment in the arts, sciences, popular education, and internal improvements. He sympathises with the masses, and by all his official acts, seeks their enlightened elevation in the scale of moral and intellectual being.

Upon the subject of internal improvements in the state, which have been permitted to languish through neglect, he recommended a speedy and radical reform. His *projet* for connecting Richmond with the Southern and Western states, bringing their trade and travel through Virginia, though at first vehemently opposed as too expensive, has at last awakened the attention of the people to the importance of the subject, and is beginning to receive their approval and support. The scheme is a grand and expensive one; but, if consummated, must amply repay the state and remunerate the private stockholders. To Richmond it will be of incalculable advantage, making it the rival city of New-Orleans. When Gov. Clinton, of New-York, proposed to construct the Erie Canal, it met with similar opposition, and was considered chimerical. But it was projected and completed by untiring exertion, and well repays the great outlay required in its construction. The same auspicious results we would venture to predict for the efforts of Gov. Smith. Few messages have been more extensively read in Virginia, than those of Governor Smith; none, perhaps, have elicited so many complimentary notices, at home and abroad, from both political parties.

Governor Smith is an *honest politician.* Party has honored him, and placed him in his present elevated position in his native state.—He professes to be a party man, and makes no concealment of his principles of action. He is a democrat from profound conviction; not merely because the party to which he belongs is the one of power and progress. He believes that the principles and measures of his party will dignify, elevate, and perpetuate the institutions of his country. Unlike many leaders in both parties, who, with a suppressed contempt for the opinions and actions of the people, are always hesitating and uneasy lest they may fail to catch the popular breeze, he, with a just regard for their opinions, and a heartfelt sympathy with their movements, always takes his position firmly and at once, confidently relying upon their virtuous intelligence for the approval of his course. Believing that an uncandid and timid policy is never wise, he has ever courted, rather than shunned responsibility. Hence has arisen his character for boldness as a politician; his great popularity with the people, and the enthusiasm with which they greet his appearance among them; the excessive jealousy of his rivals; the extreme bitterness towards him of the opposition; and the success of his political career.

Governor Smith's life and character are the result of republican institutions. In their progress he has been raised to the surface, and to eminence—a striking effect of their silent and powerful action. His character is original and decided in its cast, and peculiar to a republic; his spirit, like that of the age and his party, onward, progressive, and reforming. He has no latent and scarce-concealed dread of the wild excesses of the people. The opposition in his native state both fear and hate him. Still he does not hesitate. With a sacred regard for constitutional restrictions, he plainly and boldly recommends his measures of reform and performs his acts, honestly avowing his principles of action, and leaving to his friends the vindication of his character, and to the test of time the wisdom of his measures. His friends cheerfully perform the one, and await with confidence the result of the other.

In his social relations, the character of Governor Smith shines with conspicuous lustre. He is affable, just, kind and generous to all; like the man of the Hermitage, devoted and true to his friends.

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With a healthy and vigorous physical frame, Gov. Smith possesses an intellect of a superior order, combining, in a rare and happy manner, and to an eminent degree, the powers both of argument and declamation. He has profoundly investigated and analyzed political questions; and combines the results of his research, and presents them in a style at once perspicuous, nervous and eloquent. This has rendered him eminent as a political debater, and given him a high and enviable position in the catalogue of distinguished American democratic statesmen.

Governor Smith will retire from the gubernatorial chair of Virginia on the 1st of January, 1849, one of the most popular of the many distinguished citizens who have filled that high office. The powers of a Virginia governor, although very limited in extent, have not been permitted to remain dormant in his hands. He has chosen, in no instance, to play the part of an automaton, in order to gain the praise of his political enemies, or to avoid the charge of violating the demands of established usage; but, like the present democratic governor of Pennsylvania, he has always advanced, directly and fearlessly, in the exercise of *his own* sound discretion, to the performance of his constitutional duties.

THE VINE AND THE OAK.

A VINE that clung to an oak in its pride,
And drank the nourishment drawn from its side,
Grew strong and broad in its green coiling height,
But stronger still in its own giddy sight.
Broke from the oak in an evil starr'd hour,
And toss'd its head to display its vain power;
The storm king gnashed his white teeth at the sight,
And swept it off in retributive might;
For the thing that reaches too high and wide,
Shall draw the red lightning's stroke to its side.
It clung round each tree as it swept along,
But it passed unheeded by all the throng;
None cared to look at a false one so vile
With bow or nod, or with welcoming smile,
And the vine was thrown in its early prime
Amid nettles and weeds in filth and slime.

But the oak stood still in its lonely glade
With its furrowed sides that the vine had made,
Like the bird that had given its own life's blood
To cherish and feed its featherless brood,
The deep winding grooves, like the serpent's track,
Were pierced by the storm, and the sap shrunk back
(The mark of guile that it touched in its rise,
Was the track of the fiend in Paradise;)
And soon with a solemn and rustling sound
The leaves fell withered and dead to the ground;
The sun shone forth, and the moistening rain
Was shed upon hill, and dale, and broad plain;
The trees put forth their rich foliage green,
Nature was dressed in her rich vernal sheen,
But the oak stood shorn of its dark green dress,
The victim lost of a faithless embrace!
A beacon to warn the confiding one
To trust in nought but a cold heart of stone.

Thus upon earth—when the heart's fondest tie
Is severed by faithlessness, both must die;
The union of hearts is the soul's deep well
Where TRUTH in her purity loves to dwell,
As clear and bright in the heart's faithful love
As the chrystal fountain that's floating above,
When the well is broken the deep clear flood
Runs bubbling and purpled with streams of blood,
And TRUTH, in deep agony, shrieking, flies
To her sisters bright, the stars in the skies,
(The glittering sentinels, night and day
That watched in the well where their sister lay.)

The pledges of love we may never reclaim
Without perjury, treachery, sin and shame;
The bolt that strikes such true friendship apart
Comes back to the breast that directed the dart;
The strong one may pull down the temple's proud walls,
But its ruins shall cover them both when it falls.

Lancaster, Jan. 1, 1848.

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FINANCIAL AND COMMERCIAL REVIEW.

During the past month the chief feature of the Markets has been the character of the news from Europe. The political revolutions taking the character in France of a disruption of the relations heretofore existing between capital and labor.

The financial panic prevalent there cannot but be regarded as in a great degree artificial, and the result of the policy of the new government, the active members of which do not scruple to avow the motives of the revolution to be a struggle between the working people and the *Bourgeoise*, or, as expressed in the language of a leading member: "By *Bourgeoise*, I mean all those who possess capital, who work with means of their own, and are not dependant on others. The *people*, is the whole body of citizens not possessing capital, and depend completely on others." The theory of those most influential in the government, and who profess the Communist and Fourierite philosophy, is, that the *people* have certain rights, of which they are deprived by the holders of capital; that the revolution of 1830 was for the benefit of the latter against the titled nobility, and the present revolution is of the people against the *Bourgeoise*—that is to say, for the benefit of those *without* capital against those who have it. In accordance with this philosophy the Provisional Government decreed that the government is bound to give work and wages to all who demand it, which of course must be at the expense of the tax-payers. The financial policy of the new government is that of the anti-bullion party of England; viz.: that there shall be no fixed standard, but that a paper currency should issue convertible in coin at the *market price* of the day; or, in other words, according to the depreciation of the paper. The efforts to carry out this branch of the policy it is, which has produced the financial panic, and decreed the suspension of the Bank of France in the following terms:

"The Provisional Government, considering the deliberation of the Council-General of the Bank of France, dated this day:—Considering that for some days past the demands of re-imbursement made on the bank are in great number, and threaten to drain its metallic reserve. Considering that this situation places the bank in the alternative, either of stopping its discounts, or of obtaining the authorization of no longer effecting its payments in specie. Considering that the suspension or even the restriction of the discounts of the bank would give a fatal blow to industry and commerce. Considering that this suspension would cause on all sides the forced stoppage of labor, and would plunge the laboring classes into utter misery. Considering, in consequence, that far from allowing the suspension or restriction of the discounts of the bank, the government of the Republic ought to furnish this establishment with the means of procuring industry and commerce powerful instruments of credit. Considering that it is indispensable to secure to Paris the specie belonging to the Treasury, and which is disposed at the bank. Considering that the really flourishing state of the bank, and the guarantee formally stipulated of the limits of its emissions, give to the public every desirable security. Upon the proposition of the minister, decrees: Art. 1. From the very day of the publication of the present decree, the bills of the Bank of France shall be received as legal money by public establishments and by private individuals. Art. 2. Till further orders, the bank is dispensed with the obligations of paying its bills in specie. Art. 3. In no case the sum of the emissions of the bank, and its branch banks, shall be allowed to exceed three hundred and fifty millions. Art. 4. In order to facilitate circulation, the Bank of France is authorized to emit *coupures*, which, however, shall not be inferior to 100f. Art. 5. The dispositions of the present decree are applicable to all the comptoirs the Bank of France has established in the departments. Art. 6. The Bank of France is to publish its situation in the *Moniteur* every week.

"Given at Paris, in the Council of the Government, March 15, 1848."

That institution was never stronger than at the moment of its stoppage, as compared with previous returns. Its leading features were as follows:

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BANK OF FRANCE.

	Sept., 1847.	Dec., 1847.	March 15, 1848.	March 22.
Circulation.....francs..	230,143,811....	234,180,423....	273,404,250....	263,077,550
Public Deposites.....	66,566,476....	65,342,280....	42,245,092....	19,759,754
Private.....	49,687,249....	49,335,135....	81,617,659....	77,272,963
Immediate Liabilities.....	346,397,536....	438,857,838....	397,267,951....	380,110,267
Specie.....	94,580,323....	109,642,350....	123,843,569....	108,244,516
Discounts.....	291,377,567....	183,105,458....	303,377,611....	301,159,031
Stock sold to Russia, unpaid..	14,449,994....	6,348,408....	1,807,389....	1,377,887

The liabilities had been increased, it appears, by liberal discounts, yet the specie reserve of the bank was large, and amply able to meet the demand. The suspension, under the circumstances, is clearly a nefarious trick of the Communist leaders to enable them to make indefinite advances to meet the boundless demands from the people, which the principles they have enunciated have already called into existence. M. Louis Blanc, in addressing the *people* on the 17th March, used the following expressions:

"The peril would be great for the holders of capital and the instruments of labor, if they refused the concessions, which the natural progress of ideas, and the great act of emancipation just accomplished, commanded."

What "concessions" he requires of capital he does not clearly state in words, but it is evident, if the "people" are to be supported by government, the means must be derived from capital. The proposition thus simplifies itself into a general robbery of the rich for the benefit of the mass of the people. This is, in fact, the genius of the provisional government. This theory it is, with which the most villainous demagogues are leading the people, while themselves are plundering the nation's treasury.

The decree of suspension clearly indicates that the bank will be placed under a bureau of the government, and become a source of financial aid. The words are as follows:

"Considering in consequence, that far from allowing the restriction or suspension of the discounts of the bank, the government of the Republic ought to furnish this establishment with the means of procuring industry and commerce powerful instruments of credit."

Thus the history of the assignats is to be repeated with the issue of every dollar. In accordance with this view, the government decreed the suppression of all other banks, and relied upon the main bank for a loan of $50,000,000. The depreciation will become greater, and as this paper is made a legal tender, it involves the ruin of all outstanding debts, and the payment of government dividends in this stuff will render the "rentes" valueless, as well as the income of all other property. The prices of specie, goods, and other products of industry, rise rapidly in proportion as valued in paper. Hence the holders of goods will suffer only from the general stagnation of trade, and in this respect only will other countries having dealings with France be injured. All the leading banking houses, and all such as deal in credit, must snugly close their business, as they are doing. If their collections are only in worthless paper, they cannot honor in specie bills running upon them from other countries, hence the return of a great many bills, and the issue of orders from the most eminent houses to draw no more on them. It is a matter of good fortune that, for the last six months, bills here have been bought with the greatest caution, and therefore the amount outstanding must be much less than is usually the case at this season; nevertheless, three of the most eminent French houses in New-York have been obliged to give way to the pressure.

The subject of our trade with France is, just now, one of exceeding interest, inasmuch as that a new government, avowing new principles, and utterly discarding all the old exclusive theories—heir-looms of despotism—has been installed in France. More particularly in respect to the operations of commerce may the laws of France be expected to be modified; and it becomes the duty of Congress, instead of passing empty resolutions in approval of the course of events there, to modify in a substantial manner the restrictions that bear most heavily upon French trade. The first commercial treaty ever made by the United States was with France, in 1788, by Benjamin Franklin on one hand, and an

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enlightened French Minister on the other. The principles acknowledged in the treaty were those of free trade, suited to the progress of the ideas of the world, even then, upon that subject. Under that treaty the trade between the two countries was large, but the events of revolution supervened, and the policy of Bonaparte being anti-commercial, the United States were compelled to annul the treaty, for its frequent infractions on the part of France. Since that time the monarchial principle has constantly struggled for the mastery, and its principles are eminently anti-commercial. The empire, the restoration and the government of July, have all pursued this same course, and France at this moment is almost the ONLY NATION OF EUROPE WITHOUT COMMERCIAL ALLIANCES. The intercourse between the United States and France is regulated by the convention of 1822, which admits the goods and produce of either nation, imported direct; and many discriminations are made in favor of French vessels. Nevertheless, the trade between the two countries has continued slowly to increase; the requirements of the French people in respect of United States produce being continually greater. In order to understand the nature of the trade as it at present exists, we have compiled from official sources the imports and exports for the year 1846. The exports of United States products are as follows:

EXPORTS OF UNITED STATES PRODUCE TO FRANCE IN 1846.

	Quantity.	Value.
Oil, Sperm, galls.	2,898	$2,695
" Whale, "	1,510	578
Whalebone, lbs.	607,693	207,171
Candles, Sperm, lbs.	861	253
Staves, M.	2,567	104,579
Naval Stores, bbls.	12,830	14,168
Ashes	2,163	179,775
Furs		8,957
Beef, bbls.	810	
Tallow, lbs.	2,049,644	293,028
Hides, No.	45,207	
Pork, bbls.	425	
Hams, lbs.	1,555	197,215
Lard, lbs.	3,016,068	
Wheat, bush.	33,916	19,077
Flour, bbls.	9,138	$47,003
Indian Corn, bush.	8,484	4,065
Rice, tes.	13,775	311,841
Cotton, lbs.	132,052,749	10,080,465
Wool, lbs.	37,744	11,604
Tobacco, bhds.	22,213	1,620,888
Hops, lbs.	35,348	6,129
Wax, lbs.	118,025	34,986
Tobacco, man., lbs.	43,714	3,067
Spirits Turpentine, galls.	3,416	1,071
Lead, lbs.	7,909,688	281,263
Books		2,585
U. S. Coin		22,000
All other articles		143,361
		$13,601,686

There was a considerable increase in the aggregate for the year 1847, but the details have not yet emanated from the department. As compared with former years, the domestic exports to France, distinguishing the proportion carried in United States vessels, were as follows:

EXPORTS OF UNITED STATES PRODUCE TO FRANCE.

	Am. Vessels.	Foreign Vessels.	Total.
1829	$8,330,200	$594,836	$8,895,045
1830	9,320,782	570,364	9,901,146
1842	15,541,277	1,476,021	17,015,298
1843	10,748,026	822,846	11,570,772
1844	12,775,727	1,290,485	13,066,212
1845	11,630,767	699,404	12,330,171
1846	12,616,722	984,928	13,601,650
1847	16,707,605	1,884,926	18,592,531

The increase, it is observable, was important; but it will also be remarked that during the 17 years under Louis Philippe, the exports to France increased but in a very small degree. The principal items of export are cotton and tobacco. The former pays 12 per cent. duty, while that sent to Germany and England is free. This disadvantage will, no doubt, be removed from the French manufacturer. The royal monopoly of tobacco will also be abolished, and it is probable that the exports will so increase, that accounts between France and the United States will more nearly balance than heretofore. The imports from France for the year 1846, were as follows:

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IMPORTS INTO THE UNITED STATES FROM FRANCE.

1846.	
Specie	$113,346
Copper Plates	6,523
Burr Stones	32,522
Other free articles	766,941
Total free	$917,332
Cloths	1,330,701
Shawls, Merino	152,223
Blankets over 75 cents	46,545
Worsted Stuffs	1,827,183
Hose of wool	4,867
Yarn " "	1,348
Other " "	152,549
Cottons, dyed	1,186,572
" white	133,378
" velvet, &c.	221,193
" other	219,978
Silk and Worsted	1,510,265
Camlets	27,183
Silks	835,366
Lace thread	237,577
" gold	28,402
Linen	262,806
Clothing	372,131
Iron ware	283,801
Leather "	70,857
Wood "	145,598
Glass "	200,062
Bonnets, straw, &c.	204,702
China ware	18,654
Furs	196,658
Watches, Jewelry, &c.	4,010,700
Wool under 7 cents	5,424
Other advalorem	1,438,493
Total advalorem	$12,405,656

1846	Quantity.	Value.
Sewing Silk, lbs.	30,953	$160,005
Silks, Pongee, etc. lbs.	653,950	7,191,715
" raw "	11,820	44,877
" shoes, pairs	2,756	2,553
" bonnets, No.	2,294	24,153
Flannels, yards	9,505	5,965
Carpets, "	1,102	5,259
Wine, Sherry, gallons	244	238
" Champagne "	139,721	402,127
" Port "	180,428	62,509
" Claret & Red,	1,553,867	615,449
" White, galls.	467,486	140,301
Brandy, "	851,065	725,951
Cordials, "	29,174	44,839
Almonds, lbs.	688,984	57,542
Prunes, "	282,160	34,122
Indigo, "	43,443	27,515
Ochre, "	1,216,736	13,194
Gloves, doz.	171,399	788,745
Boots and Shoes, pairs, 17,466		36,475
Skins, doz.	8,024	94,248
Other specific duties		290,751
Total Specific Duties		$10,588,324
" ad valorem		12,405,656
" Free		917,332
" Imports		$23,911,312
In American vessels		22,860,641
In Foreign "		1,050,671

The largest proportion of the trade is in United States vessels. It will be observed that the description of articles received from France is that which is most highly taxed under the present tariff, which in fact increased the duties on French products, a fact which should be taken into consideration in connection with our probable nearer commercial relations with that power.

The whole business with France for 1846, seems to have been as follows:

Exported Domestic Produce	$13,579,660	
" Foreign Goods	86,155	
Total		$13,665,815
Imported Goods		23,799,966
Excess Goods imported		$10,134,151
Exported United States coin	22,000	
" Foreign "	1,173,436	
Bills, mostly on England	8,738,715	
		$10,134,151

This is assuming that the official figures are those actually realized for merchandize both ways, and without taking freight into account. The actual difference will make the amount of bills to be sent greater or less, according to circumstances. Thus bills on London are met by the excess of produce purchased by England of the United States, over the amount of goods bought by the latter of her. If France now increases her purchases of United States produce, the amount of these bills required will diminish, and the gold come from England, if needed. The amount of cash or good bills to be sent annually to France, it will be seen, is large; and when the usual modes of remittances are as now, somewhat under a cloud, the difficulties are likely to be great.

The loan bill authorising $16,000,000 of new United States Stock, approved March 31, provides for the issue of a stock redeemable in 1868, to bear not exceeding 6 per cent.

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interest, payable quarterly or semi-annually. The stock to be of a denomination not less than $50, and to be transferable on the books of the Treasury, or if required, to have coupon certificates attached, and to be transferable by delivery without assignment on the books of the Treasury. The stock to be advertised not less than 20, nor more than 60 days, and not to be sold under PAR. $16,000 is appropriated for the negotiation of the loan. This is doubtless a very desirable investment, and with the growing abundance of money there is every reason to hope, as a matter of national economy as well as pride, that it will all be taken here.

The prospect of the market for United States stocks of all descriptions, appears to be very flattering for the future, more particularly should the adopted treaty eventuate in actual peace. The amount of stocks due by the states of the Union, was never *per se* a cause of discredit. They are in themselves, in the eyes of people like foreign capitalists accustomed to see the most inordinate debts balanced upon the exertions of a handful of people, but an insignificant sum. The American people number 20,000,000, in round numbers, of the most active, industrious and thriving race, occupying a country of the most prolific wealth. This people owe, if we allow the national debt to be $100,000,000, and it is actually, including the new loan, but $61,000,000, an aggregate of $338,000,000, or £66,230,000. This debt is with us, doubtless, a serious matter, but in the eyes of foreigners not so; Great Britain, for instance, with a population of 20,000,000. It was, exclusive of Ireland, 18,664,761 in 1841. The debt is £772,530,758. As Ireland cannot be depended on for this debt, it may be all charged upon the English, and amounts to $190 per head, against $7 per head of debt in the United States. This English debt represents property once had and spent, gone for ever. A large portion of that in the United States represents substantial public works, worth the money they cost. Holland has a population of 2,915,396, about as many as New-York, and the national debt is £165,000,000, say $825,000,000—$275 per head. Other countries of Europe are no better off. Now bankers and stock-jobbers, who have been helping to create such debts, by collecting the savings and surplus revenues of rich and poor, and investing them in these securities, were not frightened by a debt of $7 per head due by the United States. When, however, the people of the indebted states, swindled by bankers and whig legislators, and irritated at the squandering of the money, not only refused to pay, but denied the validity of the debt, they became alarmed, not at the actual loss of the money due them, but at the influence of the example upon the people of Europe. The debts due them were created without the assent of the people, from whom was extorted the means of paying; and if the principle set up in Mississippi should obtain, that no debt is valid unless contracted in accordance with the letter of a law enacted by the people, on what a frail basis rested public securities? This principle has yet to be tested in Europe, and we believe few are so sanguine as to suppose that an extension of the right of suffrage in Great Britain will not follow the recent events in Europe. As an indication of the financial results to be apprehended from the extension of the right of suffrage, we may quote from Alison's History of Europe, vol. 4, page 436, Harpers' edition:

"If Great Britain wants to shake off its national debt, it has only to extend the suffrage in any considerable degree, and the burden will not stand three months."

These are the apprehensions entertained by the aristocratic and monied classes in relation to the effects of democratic influence, and they all have triumphantly appealed to the United States in proof of what they assert. Among others, the State of Illinois has suffered deep damnation for faltering in her payments, and she had great reason for refusing to pay a shilling. So palpable was the justice of refusing to pay the sums of which she had been swindled, that her political leaders dare not tax them. They, however, made a new constitution to submit to the people, and that clause in relation to the payment of the debt, as follows, they submitted separately:

"ARTICLE XV.

"There shall be annually assessed and collected in the same manner as other state revenue may be assessed and collected, a tax of two mills upon each dollar's worth of taxable property, in addition to all other taxes, to be applied as follows, to wit:

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The fund so created shall be kept separate, and shall annually, on the first day of January, be apportioned and paid over *pro rata* upon all such state indebtedness, other than the canal and school indebtedness, as may, for that purpose, be presented by the holders of the same, to be entered as credits upon, and, to that extent, in extinguishment of the principal of said indebtedness."

This is the first instance, probably, in the annals of government, where the question has been submitted to the people themselves, whether they will consent to pay an onerous, specified tax to discharge a debt. The result has nobly vindicated the honor and magnanimity of a free people; by a large majority they have voted to pay the money. What can be a better basis for a public security than this free voice of the tax-payers consenting to pay it? This assent is become a part of the organic law of the state. If repudiation tainted for a time the surface of the national character, the remedy has been radical. While European debts are tottering on the verge of revolution, those of the United States are becoming ratified through the action of that suffrage, the adoption of which, it is held, will be fatal to English securities. Under these circumstances, there can be scarcely a doubt but that the United States stocks will, more than ever, become favorites from necessity with foreign capitalists. If so, we trust that the capital will settle here permanently, and not draw interest out of the country.

The movement of specie during the past year has been very remarkable throughout the commercial world. Larger sums have been transmitted from one country to another than have, perhaps, ever before been the case in the annals of commerce. This has doubtless been owing, in some degree, to the fact, that the growth of the manufacturing and commercial interests of Western Europe, aided by the extension of rail-roads, have greatly enhanced the consumption of food in proportion to consumption, and, as a consequence, when harvests are not full, the quantity to be sent thither to make good the deficit, is annually increasing, and at every recurrence of a harvest below an average the quantity wanted is increased. As an indication we may take the quantities of wheat and flour, expressed in quarters of wheat, admitted into England at each recurring failure. The first large importation was in 1767, up to which time England was an exporting country. From the close of the American war she became an importing country; and the quantities imported increased as follows:

	Qrs.		Qrs.
1767	497,905	1817	1,089,855
1775	560,988	1818	1,694,261
1783	584,183	1831	2,867,868
1796	879,290	1839	3,110,729
1800	1,264,520	1841	2,923,189
1801	1,424,765	1842	3,493,274
1810	1,567,126	1847, 9 mos.	10,555,662

Since 1829, the quantity annually required has been large, averaging more than double the deficits during the bad harvests of the year. In addition to these large requirements, Western Europe, during the past year, has also required large quantities, both because the yield was not quite so great as usual, and because the requirements were greater. It is obvious, in the progress of affairs, that if actually the same quantity of food is produced in any year as in the preceding there will be a deficit, measured by the increased consumption. When the population of Great Britain was but 11,964,303 as in 1811, the annual increase of consumption was much less than in 1848, when the population is over 20,000,000. These circumstances, of the supply of food in England and Western Europe are they which must force imperatively upon the governments the necessity of "free trade." It did so last year in England; and France, with Belgium and Holland, are now about to be emancipated from monarchial "protection." The great want of food last year was one cause of the great movement in the precious metals, but the agency of steam and the close proximity of the various commercial centres was also a prime agent in the singular results. A Parliamentary table gives the following, as the exports of the precious metals from England in the years of the greatest movement:

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EXPORTS OF BULLION FROM ENGLAND.

	Gold. ozs.	Silver. ozs.
1830	169,800	18,812,879
1831	400,510	21,433,150
1833	450,228	17,124,180
1839	557,327	13,800,484
1843	592,805	12,362,994
1845	58,371	15,368,632
1846	138,405	9,617,628
1847	1,242,637	15,273,779

The years 1830 to 1833, were years of large export of silver to France, following the disturbance in the circulation of the two countries, resulting from the revolution of July, silver being the natural currency of France. During the past year the great movement has been in gold, and the value, according to the English mint price, would be as follows:

	ozs.	
Gold	1,242,637	Value, $23,324,296
Silver	15,273,779	" 18,328,534
Total		$41,652,830

This includes some $10,000,000 silver loaned in Jan., 1847, by the Bank of England to the Bank of France. The destination of these large exports in 1847 was as follows:

Countries.	Gold. ozs.	Silver. ozs.
United States	836,129	—
Portugal	92,022	—
Cuba	7,488	—
France	43,348	9,252,115
Hanseatic Towns	33,954	3,312,322
Belgium	47,400	400,000
Holland	23,412	800,000

The value sent to the United States in gold, was $15,731,701. This is for the year ending with December. The importation into the United States, as officially given for the years ending Dec. 1, were as follows:

IMPORTS SPECIE INTO UNITED STATES, YEARS ENDING DEC. 1.

Into	1846.	1847.
Boston	789,475	12,814,730
New-York	762,679	8,732,382
Philadelphia	96,511	256,001
Baltimore	177,367	170,112
Mobile	61,343	199,948
New-Orleans	767,334	1,523,720
All other places	813,721	456,349
Total	3,468,430	24,153,242

About three-fifths only of the whole importation into the Union, it would appear, came from England. It is observable that the national mint is at Philadelphia, at which place about 1 per cent. only of the specie imported arrived, the great mass coming to Boston and New-York. The nett import of specie into the United States was $22,213,550, and as the expense and risk of sending to Philadelphia is an item which no one will volunteer to pay, the importer of specie deposites his foreign gold in bank, gets a credit, and the gold remains in bank subject to the financial operations of foreign bankers, whenever their wants require it to be returned to them. This occurred in December, at the close of the year to which the returns are made up, and about $48,000,000 has been sent back to London, not because it was owing, but by a purely financial operation. A serious revulsion has been saved the country solely through the operation of the Independent Treasury. The cash duties drew into the hands of the department $8,226,516 of specie, of which a large portion was in the imported foreign coins; these, instead of remaining in

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bank subject to shipment, were by the department transferred to the mint and coined. The amount coined at the mint for several years has been as follows:

COINAGE UNITED STATES MINT.

	Copper.	Silver.	Gold.	Total.
1843	24,283	3,934,750	8,108,797	11,967,830
1844	23,937	2,285,590	5,428,230	7,667,767
1845	38,948	1,873,200	3,756,447	5,668,595
1846	74,398	2,558,680	4,034,177	6,708,363
1847	61,827	2,374,450	20,221,385	22,667,652

The year 1843 was one of the largest coinage previous to 1847, when the accession to the national currency became so great. The nationalizing of the importation is the surest protection to too sudden depletion, now that the intercourse of nations is about to be more free. The power and wealth of England was created when she was a corn exporting country. That wealth was spent in the wars with Bonaparte. The United States are now about to become the granaries for Western Europe; and the wealth of those nations will be commanded by the farms and plantations of the west and south.

GOSSIP OF THE MONTH.

POLITICAL GOSSIP.

Scene in the Senate of the United States.—As we are going to press we have heard with grief and indignation the particulars of the late disgraceful "scene" in the Senate, relative to the recent abduction of slaves from Washington. We mourn over the weakness of human reason, when we see a man like Mr. Calhoun, of advanced age, long experience, and towering intellect, give himself up, in the face of his country and the world, to all the childish excesses of unbridled passion. It is just this defect of his character that has destroyed his career; which has made him unserviceable to his country, an injury to his party, and useless to his age. How is it possible to respect a man who forgets himself, and the body he should adorn, by conduct and words we could only expect in a maniac or a common driveller. The question of slavery is the rock on which Mr. Calhoun has constantly split, instead of being, as with a statesman of any address or real patriotism it would have been, a stepping-stone to the highest fame and the loftiest preferment. Slavery at the South, notwithstanding the declarations of Mr. Calhoun, and his hot-brained and foul-mouthed followers, and in spite of the incendiary and basely-selfish strivings of the hypocritical abolitionists of the "free North," we assert, and our lives and honor on it, that slavery in the South will never break up our glorious Union; will never scatter the stars of our "thrice-renowned" banner; will never prostrate the hopes of humanity, which are all concentrated in our success. No—because the intelligence of our enlightened people, north and south, east and west, is adequate to settle without disunion any differences of opinion or any clashing of sentiment, which may at any time occur between them, and that without the aid of Messrs. Calhoun & Co., or the odious counsels of that miserable faction of fools and fanatics headed by Messrs. Hale and Giddings. We shall not waste a word on the disgusting rant of Foote, of Mississippi, who proclaimed his ferocious aspirations after a hangman's job, whose functions he is evidently much better fitted to perform than those of a Senator. We protest, in the name of the honorable body to which he belongs, of the noble state whose dignity he has lowered, and of our common country, which he disgraces, against language and sentiments which the most abandoned leader of a street mob would hesitate in this country to utter, but which this senseless demagogue hoped would procure him notoriety. We are sure that Mr. Calhoun must blush to be found for a moment in such company.

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The slave property of the South is properly secured under the guarantees of the Constitution, and though we shall ever yearn, with the concurrence of the South, to get rid of this cursed legacy of English cruelty and avarice, yet we should no more think of stealing, or invading it, than committing highway robbery. We know there is a way of gradually effecting a solution of this difficulty, and we are equally sure that the South will lead the way in it. But this is not the place, nor is the time yet come for the statement of propositions that will put an end for ever to the Presidential hopes of Messrs. Hale, Giddings, and gang.

Ratification of the Treaty with Mexico.—From information, which has reached us from the *highest sources*, we have no hesitation in predicting the immediate settlement of our difficulties with our intractable neighbors of Mexico. It is unnecessary to doubt for a moment all the advantages to us of this improved state of things, for they are evident at a glance. The reduction of our enormous expenses by the withdrawal of our army, and the cessation with it of the excessive jobbing which has been so long going on, are among the most palpable. It is a matter of little consequence to the country whether the treaty is acknowledged by the governments which succeed the present one or not, for it is certain they will never attempt to interfere with its stipulations for two reasons: first, they will never raise the requisite force to do it with any chance of success; and next, they will be so absorbed in their intestine struggles that their attention will be wholly occupied at home. By the treaty we have a legal and a moral title, in the face of the world, to the lands we shall hold under it, and this is worth the money, but not the blood, that has been spent in obtaining it.

Now that the war is done, and it may no longer embarrass the government, or endanger the country's interests by avowing it, we declare our hearty detestation and horror of all wars, and of this among the rest. We think it useless to find fault with this man or that, for if the public opinion of the country were fully made up against such ferocious and brutal modes of settling differences, no man, or set of men, be they President or Congress, would dare to fly in the face of it. We are not so Quixotic as to say that all wars are absurd, and are destined to die away; for, as long as human passions survive they will occasionally occur; and if the cause be just, the good may regret it, but the wise cannot condemn. Whether the Mexican war was of that description, is a subject which we have heretofore elsewhere discussed. If democratic doctrines do not tend directly towards diminishing wars, by removing causes of quarrel between mankind, then we have greatly mistaken their beneficial and humanizing nature.

The thought of change naturally suggests that immediate to us—the code of judicia procedure passed by the Legislature of this State, and which on the first of July will come into action. Expedition in justice has ever been held desirable. Whatever unnecessarily retards it can be considered in no other light than an evil, and its removal a reform. Custom ceases to hallow, and of things unworthy of regard is vulgar admiration of obscurity. Luminous simplicity is essential to the legitimate action of justice. The contrary is liable to hide the merits of a case, and with such difficulty closes subjects of litigation that numbers thereby are repelled from seeking redress; many, again, are defeated, neither knowing how or why. The supplementary code now in force engages the intense interest of legal minds. The courts are consequently largely attended and exhibit unusual signs of life. Here and there is heard a savage grumble, the expectation of a mind that finds the partial result of a life of study thrown away, and tyros, else bound over to silence, practising with the most perfect ease. Several of the profession are to be daily seen coiled up like serpents who have lost their stings or been rendered torpid. Anon from one of these, the loser of a cause, comes an ill-boding rattle intimating enmity

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with the code as cause of failure. The hammers of a number may be heard building each other up in the notion of its want of legality.

Notwithstanding, disinterested and intelligent minds who have considered its relation and bearings give it their suffrage and express admiration, while enlarging on its multiform effects. Such codes of procedure can only be perfected by experience; yet the very intention is characterized by wisdom, and will be productive of good. We regard it as the commencement of an important digest of law in all its departments.

The city election has set to rest a vast amount of imaginary troubles and political speculation. With those who can attract the favorable notice of the elected, probably more thought is at present expended on gifts than on reforms. The petitioners are already an armed multitude, and we wish them all success. The early proceedings of the Council will determine the current of their course. It is in their power, by the vigorous discharge of pledges to secure re-election, in addition to unchallenged power. A year may easily come to nothing both to themselves and the city as with those who having had the same powers and same opportunity, have disregarded both. Each Board will have sufficient duties to make itself honorably famous if it so think fit. Let moral courage be shown; the motive will not be misunderstood or the reward ungranted. By the exercise of a faithful and vigilant energy the Council will but coalesce with the spirit of the age, which is to subvert what is useless, control what is erratic, and call into action and advancement what may minister to general happiness and good.

THEATRICAL GOSSIP.

As we constantly predicted from the wretched mismanagement of the Astor Place Opera, this noble enterprise has at last come to the ground. One only wonder is, that it struggled along half the time it did. The successful establishment of the Opera here required, before all, a skillful manager, whose whole time and attention should be devoted to the business in hand, where his interests as well as his pride should be embarked. Such a person would have studied the taste and temper of the public, and afforded such amusement as would secure their enthusiastic patronage, and enliven their interest in his continued success. With the adroitness of a vigilant man of business he would have seized every occasion of improving his position and strengthening his resources. If an opportune occasion had offered for employing his troupe in a concert with effect, or letting his House for a series of brilliant balls; or if, after well-concerted preparations, he saw the facility of drawing profit from the pockets of the dilettanti of other cities, he would have availed himself of each and all of these opportunities to swell the amount of his gains and guarantee the success of his undertaking. But in place of this sagacity, industry, unity, and energy, we have seen nothing from the beginning but down-right stupidity, vacillation, neglect, and incompetency on the part of the ostensible management and the thousand and one secret committees who have presided over the Astor Place Opera. We said before, our wonder is that it lasted so long. To show at a glance the nature of the errors committed, we will first point to the performances. Instead of producing in turn operas of different styles, now serious, then gay; above all, operas where the *libretto* was essentially dramatic, and the music pleasing and *facile*, we have had a series of operas either worn thread-bare in past years, or novelties without attraction of plot, and of noisy and unmelodious music. Instead of Rossini we have been stunned with Verdi; instead of Semiramide, la Gazza ladra, la Cenerentola, Barbiere di Seviglia, we have endured *il Guiramento*, *Rabucco*, *Beatrice di Tenda*, every one of which successively failed, as might have easily been foreseen. The next folly was to rush into

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unnecessary expenditure of all kinds, more particularly in adding useless and unattractive artists to the troupe at exorbitant salaries.

Another outrage on the rights of the subscribers was removing a portion of the troupe to a neighboring city, though engaged and paid for here. The last absurdity we think is worth while to notice, was the sudden withdrawal of the whole troupe without permission, or even previous announcement, to Philadelphia. The Opera House was thus shut up for some weeks in the midst of the seasons, and by not giving due notice of its temporary retirement an opportunity was thrown away of securing several overflowing audiences. As to the chief question as to whether an Italian Opera is possible in New-York, we hesitate not to express our decided affirmation. The audiences this winter, who have come for mere love of the thing, and not, as we have shown, in hope of entertainment, is positive proof of the safety of the enterprise. What with fashion and love of music, an abundant and yearly increasing audience can be found in New-York who will easily defray the expenses of a good Italian Troupe. The city of Havana is a case in point. Their means are far more limited than ours, and were we blessed with a manager half as skillful as Don Marty, double the sum he has at command might annually be secured here before the curtain rose for the winter.

The only chance then, for the future success of the Opera in New-York, is the abdication immediate and forever of all Sanquiricos and Pattis; of all Albinolas and set; of all five years' and one year's committees, who, though composed of respectable gentlemen, are profoundly ignorant of the mysteries of theatrical management, and who, more than all other causes, have contributed to the downfall of the Opera House. If a good manager can be found, who will add some efficient artists to the acknowledged favorites we possess in Truffi, Beneditti, Beneventto and Rossi; who will reduce all superfluous expenditure and prevent needless outlay in scenery, dresses, &c., and above all, renew none of the atrocious blunders of the past season, then we shall have to congratulate the lovers of art and the patrons of a refined amusement, on the final establishment on a lasting foundation of an Italian Opera in New York. There is one suggestion, we think it necessary to make, even to the paragon of a director, whose coming we abide, and that is to abridge the Opera season to forty performances at the outside. In neither London nor Paris where the musical population is a hundred fold greater than ours, does the fashionable season extend over four months, and often not that. It is ridiculous to expect the same audience in New-York to come three times a week for months hand-running to see half a dozen operas repeated, *ad nauseam*. It is enough to throw them into spasms at the mere name of opera for ten years afterwards, and Rossini himself would have forsworn his art if he had ever been compelled to undergo a similar ordeal. Flesh and blood can't stand it. If the opera season opened in November and closed in March, the public would be satisfied. We think, besides, it would be expedient after twenty performances to suspend for six weeks, and visit Philadelphia and Boston for three weeks each, and then give the remaining twenty nights in New-York. In this way the relish would last and surfeit be escaped. From all we have heard of his tact, industry, and experience, we feel sure that Mr. Fry, the popular composer, is very much such a man as the occasion requires, and who is capable of carrying the Italian Opera to a successful issue. We are almost sorry to see those high-minded artists, whom we have named, engage in the desperate task of giving the remaining twenty nights of the subscription. They will sing half the time to empty benches, and waste their fine powers for nothing. The season is over, and everybody has had enough; and public attention is so much engrossed in the commercial disasters and political excitement of the day, that opera cannot hope to succeed by setting up a rivalry. It would have been much better for Truffi, Beneditti, &c., to have come forward with their benefits, for the public are too just to vent on them the shameful faults of secret committees and managers of straw. There is but one opinion and one sentiment respecting these distinguished artists, and both would gladly seek an overwhelming expression in their favor the first occasion that offers. Their merits as artists have been conclusively acknowledged, but their worth as individuals, the town has had

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no fitting opportunity to reward as it deserves. Let us have their benefits at once, and set down the lost nights of the subscription to the account of aforesaid committees.

Mr. Forrest.—As we anticipated, the farewell engagement of our distinguished tragedian, at New-Orleans, was enthusiastic and successful beyond all parallel. The admiration of his matured powers was never so entirely manifested, and the regret at his unexpected loss, was deep and universal. It was a serious disappointment to his numberless friends and well-wishers that he was compelled by circumstances to decline the flattering compliment of a public dinner, which would have afforded them the desired opportunity of displaying for him the warmth of their regard, and the sincerity of that respect which his remarkable talents and excellent conduct in life have so justly awakened in their minds for long years past. His departure from New-Orleans, and his retirement from the southern stage, have been touchingly and eloquently commemorated in his farewell speech, which we have the pleasure to lay before our readers.

Farewell Address of Mr. Forrest.—The following is the farewell address of the great American tragedian, Mr. Forrest, delivered by him on Friday night at the American Theatre, at the close of his engagement at that establishment:

"Ladies and Gentlemen—The little bell, which, a short time since, sounded for the fall of the curtain, rang, also, the knell of my professional existence in your city. I am now no longer an actor among you, and I am come, with a few brief, but sincere words, to thank you—to thank you for the kindness shown me almost a quarter of a century since, when, as a nameless boy, I first presented myself, a candidate for your favor—to thank you for the cheering applause with which you have ever since hailed my exertions—and to thank you for this last crowning token of your approbation, this brilliant assemblage, convened to do me honor, and to grace my final exit from your stage.

"I wish to withdraw from the laborious toils of the profession, while yet in the possession of an unimpaired constitution—before age has debilitated, or time has shaken my faculties; for, I would not, like the worn veteran, 'lag superfluous on the stage.' Besides, I wish to engage in another pursuit—one more congenial to my present taste—a pursuit which has been rightly characterized by Washington, as the most beautiful, the most useful, and the most noble employment of man—the cultivation of the soil.

"And now comes one of the most trying moments of my checquered life—a moment, in which one little word will be spoken, which will sever for ever the link which, through so many years, has bound me to your service—a word which has been spoken, and which, alas! must be often spoken in this sad, bright world, but never, in the life of him who now addresses you, with more regretful, heartfelt emotion, than I now say—Farewell!"

MISCELLANEOUS.

Pride of city is as reasonable and worthy of commendation as pride of country. The man who cannot love at home shall hardly be trusted for more expansive sympathies. The citizens of New-York have abundant cause to indulge this feeling, alike honorable to themselves and creditable to the national character. With increased commercial prosperity and industrial resources, this city has in no way failed of advancement in architectural embellishment. If it has not as Edinburgh and Athens, nay, myriads of cities in this country, a boldly variegated ground by which structures may be assimilated to scenery, or at least be aided thereby in effect, we have, nevertheless, attained to what perfection our resources would hitherto allow in the adornment of private dwellings, rivalling those of the far more wealthy in Europe, yet showing with less of costliness more of taste. Fine churches, elegant and healthful squares, graceful fountains, have long been its gift. Even those simple things called railings—most antique retainers, are distinguished in all directions by a tasteful elegance. The width of our streets and thoroughfares, contrasting finely with those of the old world,—for Fleet street, the Strand, and Paternoster Row, might ride abreast through its avenues,—shows a glorious faith in the increase of traffic. Strangers tell their praise, and we verily believe that every

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artizan hears from our noble, continued, and extensive embellishments—the work of men's hands—an inspiring call to labor. Even the

> —— "rude expression and untutored air,
> Beyond the power of language will unfold,"

the sense of the beautiful, the vital power of adornment. The superb magnificence of certain portions of our city must exert an exulting and abiding influence on public taste. One grand improvement we are especially glad to recognize, if, indeed, it be not at the same time an invention, to wit: the enclosure of some part of the widest streets for shrubbery, fenced in by ornamental railings, where the same will not interfere with public convenience. In the upper part of the city this improvement can be alone applied; but we look to the time when, from the extension of new streets in that direction, and continued attention to this feature in their formation, New-York may win the title of a city of gardens.

There is an art of lighting the public streets, partaking in character both of the fine and the mechanical, to which we could wish the attention of our authorities directed. Whoever has walked by night the streets of Philadelphia and New-York, must have observed the superior illumination enjoyed by the former city. Yet, in a given space more gas is consumed in New-York, which has three lamps to each Philadelphian one. The difference in effect is occasioned by our having smaller burners. Economy of itself should lead to the adoption of the evident improvement thus suggested. Street light is necessary for safety as well as convenience and pleasure. The robber in unrelieved shade can easily avoid detection. In certain of our new streets no lamps whatever exist, notwithstanding that camphine burners which, in use, cost no more than those supplied with the most common oil, might, with unimportant and soon reimbursed expense, be mounted on iron rods, and so subserve every essential purpose.

Portrait of Queen Victoria.—We have never seen a finer picture on exhibition in this country than the splendid painting of the "Queen of England on her Charger," by Count D'Orsay. Accustomed for years to regard this distinguished nobleman merely in the light of a man of fashion, we little dreamt we should one day be called on to renew our admiration of him by his now more striking phase of an accomplished artist. His merits in this respect are so skillfully treated in the following notice, that we recommend it to the perusal of our readers. We think it is hardly necessary to suggest a visit to the Gothic Hall to see this noble work of art, whose attraction is sufficient of itself, as the crowds who daily flock there abundantly prove.

The extraordinary talents of Count Alfred D'Orsay in painting and sculpture have long since attracted the admiration of the fashionable and artistic world of London and Paris, but are likely, from distance and other causes, to be less known here, where his reputation, however, as a man of fashion, is fully established. Some careless memoranda of his progress in art, therefore, may not be wholly uninteresting.

For many years the Count was in the graceful habit of beguiling his leisure hours in the fashionable pastime of drawing and sketching, till at length growing bolder with practice, he ventured his trick of hand in transfering to paper the likenesses of his personal friends. The singular fidelity of these off-hand attempts were so remarkable, that he was encouraged on all sides to persevere, and his crayon hits, as they may be called obtained so much popularity, that at last they figured in all the fashionable print shops of London. Scarcely a person of eminence in political or fashionable life but hastened to receive so flattering and valuable a souvenir of the admirable skill and amiability of the noble artist. The careless ease, and astonishing rapidity with which he threw off these pencil portraits, where accuracy of feature blended so felicitously with the peculiar expression of each individual, were a constant theme of wonder and praise to all spectators. On these occasions, his studio was ordinarily a brilliant drawing-room, his costume

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d'artiste, the full dress of elegant society, and surrounded by groups of his noble friends, and amidst the gayest conversation, he would, in a brief half hour, execute a sketch that in form and feature would throw a professed artist into despair.

His ambition naturally grew more confident with his unlooked for success, and he began to contemplate loftier flights. Buckling on his pallet, he approached with steady brush the enduring canvass, where he hoped to leave imperishable proofs of his devotion to art. After sufficient practice, which genius abridged by years of vulgar toil, he selected for his essay in portraiture, the striking lineaments of his friend Lord Brougham. He felt that his success would carry him, from the celebrity of his subject, at once to the topmost round of his aspirations, though it was a perilous undertaking for an artist so newly fledged. The result was an inimitable likeness; not merely a cold transcript of the feature of the world-renowned lord, but overflowing with that vivacity and significance of expression which is at once his great mental and personal characteristic. At the request of all the friends of Lord Brougham, this admirable portrait was sent to the Exhibition of the Royal Academy, and, for the first time the public was made aware of the artistical genius of the celebrated Count D'Orsay. Their incredulity was amusing. Accustomed to look upon him as "the glass of fashion and the mould of form," to admire his exquisite taste in dress, in equipage, and mode of life, they were not at all prepared to find him thus suddenly abandoning the *dolce far niente* of luxurious habits for the severe discipline of a laborious art. It surprised them more than all to discover in his first public performance none of those crudities which, from time immemorial, have been so indulgently conceded to amateur artists, and more especially when, as in this case, of noble rank. The work which boldly challenged their criticism was there confronting them in all its maturity of merit, perfect in colour and design, faultless in likeness, and overpowering in expression. As their astonishment subsided, their admiration grew; and groups, day after day, assembled round this matchless portrait, to shower down their praises and plaudits to the forgetfulness of more established names.*

Count D'Orsay continued from this time to garnish his private gallery with the portraits of many of his most esteemed friends and relatives. Lord Lyndhurst, Prince Louis Napoleon, his sister, the Duchess of Grammont, the Indian Prince Dwy Tanjore, all in turn flitted across his faithful canvass, leaving such indelible expressions of their second selves as startled by their resemblance, and charmed by their execution. The Duke of Wellington at last took up his position, and calmly met, as he had done so many other fiercer fires, the ardent gaze of the inspired artist. The result was a portrait which will perpetuate the fame of both hero and painter. It were impossible to lavish too much panegyric on this best of the innumerable sketches of "the Duke." It is the more interesting from its preserving one of the last phases of the person of this wonderful man. The pallor of advanced age, the shrunken cheek, the falling shoulder, the stoop of near fourscore years contrasting with the still martial carriage, the steady regard, the stubborn will, as revealed in the eye and lip, all convey a vivid and speaking image of this victor of a hundred fights, that will live for ever in the memory of the spectator.

But the pictorial triumph of Count D'Orsay is on every side pronounced to be his peerless painting of Her Majesty the Queen. There have been various attempts of late years at the likeness of Her Majesty, but of them all we may say with Macbeth, "the attempt and not the deed confounds us." With the exception, perhaps, of the painting of our American Sully, there is nothing at all worthy of the royal subject or of high art which has been produced, till this splendid work of Count D'Orsay.

A great deal of flourish was made two or three years since about a picture of the Queen by *Winterhalter*, which, to enhance the effect, was exhibited in a dark room, artfully lighted up in the middle of the day. It was full of pretension and trick, garish in colot, bad in drawing, and without that dignity characteristic of the subject, or likely to

* We don't know whether this portrait of Lord Brougham has ever been engraved, but we are sure such a fac-simile of this great statesman would be highly popular in this country.

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impress the beholder. It was cried up for awhile by the zealous friends of the artist, but has been already forgotten.

An anecdote touching the origin of Count D'Orsay's portrait of the Queen has reached us, which we insert among the *on dits* of the day. He was regretting on some occasion the absence of even a creditable resemblance of Her Majesty, and carelessly said, "that he believed he could paint from memory a better likeness of the Queen than any that had been done with sittings." A noble friend of his, standing by, who never loses the chance of a bet, replied, "I'll wager that you can't for a thousand guineas." "Done," responded the Count, and he set to work the next day. The secret of his marvellous success in the likeness cannot be better explained than in his own words. In a late letter from him, he remarks:—"In general an artist, who is permitted to paint the Queen, is allowed two or three sittings at the most, during which he is nervous and in haste; whereas I have had, I may say, one hundred and fifty sittings; for my box at the French Theatre, as you remember, is directly opposite that of Her Majesty's; so, after contemplating her features by stealth, I returned each morning to their portrayal. In this way it happens that I have managed to content so highly all the frequenters of the Court, who have declared to me a hundred times, that they prefer this picture to all the other portraits of the Queen: besides, the general opinion has pronounced most flatteringly in its favour, for among the thousands who visited it at Griffiths' Rooms, not one dissentient voice was heard." The rumour runs that the Earl of C——d was the first to acknowledge the wager won; but the public at large, as well as the world of art, have been much the largest gainers.

We shall attempt no criticism of this noble painting, which in likeness, in artistical skill, in spirit and power, is a study for our artists, and a fit subject of contemplation for every person of taste. The Queen, herself, was delighted with it, and Prince Albert, who is a distinguished amateur, lauded it in the strongest terms. Landseer, the finest painter of animals in Europe, Horace Vernet only excepted, pronounced the horse "a matchless work of art;" and Turner, the celebrated English painter, has commended warmly the beauty and execution of the landscape.

The coming of the picture to this country arose from the simple fact of an American friend of Count D'Orsay's seeing it at his house last May, in London, when he entreated him to allow it to be exhibited in this country. The Count expressed some apprehension that a royal portrait might not be a popular subject in our republican land: but he was assured, that the Americans knew how to draw distinction between politics and art; and that the painting of a lovely woman would not be the less admired in despite of her being a queen. The fidelity of the likeness alone, it was urged, would be a great source of attraction, and its cordial reception by all classes was unhesitatingly guaranteed. There need be no fear that American taste was overrated, for crowds are daily flocking to see it, whose admiration knows no bounds. We learn the picture will return to England in a few months; meanwhile no small curiosity is felt in London to know in what manner it has been received here: it may be inferred, that neither the painter, nor the royal subject, are indifferent to American criticism.

It would be unjust to the versatile genius of Count D'Orsay not to make mention of his remarkable skill in the sister art of sculpture. His well-known equestrian statuettes of Napoleon and Wellington, are the admiration of London, and the theme of foreign commendation. His fine statuette, also, of O'Connell, is admitted on all hands to be the most life-like representation of the great Agitator that has ever been given to the public. We cannot forbear mentioning the honorable motive which led to its creation. When the afflicting accounts reached England last winter of the famine in Ireland, the Count bethought himself of the novel and and benevolent idea of executing this statuette, which he sent along with the mould to Dublin, and its rapid sale added considerably to the resources of the Relief Committee. This admirable gem of art, together with the bust of the Countess of Blessington, is on exhibition at the Gothic Hall, with the picture of Queen Victoria.

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National Academy of Design.—Pictorial art, though equally unwanting for materials, to whatever sphere of existence directed, has entered but slowly and successively on each. The mystic and symbolic, the historic, and the tragic, physical or descriptive, character—individual and social—have one by one, as though independent, taken isolated possession of the canvass at different and distinct periods. But though time is the hour in which art must work, it has no rightful dictator but nature, who still dresses herself from the wardrobe of ages. While art swerves not from the adoration of nature, she shall have power to reproduce all expressions, to embalm thought, and save the lineaments of changing beauty, embodying the same in forms which the soul may love and the mind ponder forever. This thought came to us as we surveyed the above promiscuous collection from the hands of living artists; for in this day all departments are united. The primary principles of art, though great, are simple, and so, capable of universal appliance. Here is to be seen the calm and sanctified loveliness of some of the ancient masters—(a passage of praise, for it is one thing to copy, another to transcribe the features of their genius)—the blending of many of truth's best conceptions, individual forms waiting, as it were, for life, lustrous compositions and exact delineations, often more charming, of scenery. We rejoice to find our artists less restrained by old forms, and avoiding, to such degree, the union of studied attitude with natural beauty. An instance of this fault is presented by the May Queen, No. 140. We point this out not from any carping disposition, but the rendering a service, the production having much distinguishing merit. The Blind Pilgrim, by Wm. Fisher, and the Blind Harper, by C. Mayr, to which the importation of a graceful mood was most difficult, are complete triumphs in this respect. Of compositions, that of Sunset, by A. Andrews, and Solitude, by T. Doughty; and of existing scenes, Franconia Notch, N. H, by W. W. Wotherspoon, deserve, with others, high commendation. The department of animals is eminently represented by the works of J. W. Audubon. His attainments cope with those of Landseer. The English mastiff and the startled deer, on a sporting expedition, once seen, will hardly be forgotten. There is in these an accuracy and a freshness, a delicacy of touch, with the exhibition of perfect vigor. Though we might not be able, in a lengthened critique, to give unqualified praise to other than a fraction of the exhibition, we would, nevertheless, have opportunity to bestow on all hands most abundantly. The committee have evidently exercised vigilance in seeking to exclude what was wretched in design or devoid of feeling—probably applying as a test natural arrangement and power of expression. Though several manifest a doubtful taste, few are frigid. Some simple compositions have strong effects—intelligible truths which leave a pleasing and calm reflection on the mind. Nevertheless there is more indication than genuine exhibition of creative power.

We are confident, that with increased devotion and loftiness of aim, far more might be achieved by the same hands. For this creativeness, an intense, pure, and unchecked flow of thought is needed. We have long wished to see an essay on the alliance of virtue with art. If it be not written, it may be exemplified. In renewing this collection, we have been won to the love of many sincere and ardent spirits. To those who ask us where to direct their thoughts and how to worship, we exclaim—behold truth, which is beauty! It lodges everywhere. Would you evoke it? Do so by inward feeling. Would you embody it? Let it not for a moment pass away, but remain a quickening portion of yourself.

Intensity of action is not essential to a grand production. What is great and noble may often be developed in a soft and sweet radiance. Merit will not, for want of gaudy appliances, be unappreciated. The American heart is as fully attuned to the sentiment of the beautiful, and as delicate as any other. We wish to see the American school of painting independent of all other, and marked chiefly by an intimate converse with nature. It is a matter of congratulation that our artists, though not wanting in the display of warm and bright tints, steadily avoid the profusion of light and cumbrous splendor of the French school.

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NOTICES OF NEW BOOKS.

THE HISTORY OF THE TEN YEARS, 1830—1840; or, France under Louis Philippe. By Louis Blanc. Complete in two volumes. Lea & Blanchard, Philadelphia.

This is a most welcome publication at a moment when France is disturbed by the falling crash of the dynasty, the nature and policy of which M. Blanc has so faithfully portrayed. The views of M. Blanc are those of the Communist philosophy, and it is in accordance with this doctrine that the events of this history are measured. The great merit of the work, and that which has raised the reputation of the author, is the variety and authenticity of the information he imparts in detail, on all the changes of French politics since the fall of the Empire. The facts, anecdotes, sayings and doings, connected with the actors in all the political intrigues of twenty-five years of French history, are genuine, and highly instructive. It must be remembered, however, that M. Blanc, like all the prominent men of France of the present day, is one of those who has been fortunate enough to gain the public ear, and to make himself conspicuous by the strangeness of his doctrines and the thoroughly reckless and dishonest demagoguism with which he abuses the confidence reposed in him, by a people not accustomed to think much for themselves. This meretricious reputation has, in a moment of turmoil, raised him, in common with others of similar character, to memberships in the provisional government of France. Accordingly, the principles which run through this "history of ten years," are those which are now governing France. The leading one is to array labor against capital. The theory of M. Blanc, as expressed in his history, is, that the Revolution of July was in favor of the Bourgeoise, or possessors of capital, against aristocracy, and that the present Revolution is of the people, or those without capital, against the Bourgeoise. As giving a key to the views of the present government, which has in its hands the destinies of France and of the cause of human freedom in Europe, the volumes are of the highest interest.

THE MINSTREL PILGRIM. By J. W. Field. Clark, Austin & Co., 205 Broadway.

This is a very tasteful volume, containing a collection of poems of considerable merit.

THE SKETCHES. Three Tales by the authors of "Amy Herbert," "The Old Man's Home," and "Hawkstone." D. Appleton & Co., 200 Broadway.

The popularity of these writers is of itself a guarantee for the excellence of these sketches, which are accompanied by six pictures. It appears, from the preface, that these pictures were first sketches, and the tales subsequently written to weave the scenes into a connected story, and the three tales illustrate the same sketches.

THE THOUSAND AND ONE NIGHTS. Illustrated by 600 beautiful designs on wood. Harper Brothers.

This is the 2d number of the most beautiful and convenient form in which these popular tales have been produced. The gorgeous and attractive scenery of Eastern life that they portray, is well calculated to dazzle the imagination of the young, as well as to convey pretty accurate ideas of Eastern social life.

THE CHILDREN OF THE NEW FOREST. By Capt. Marryatt, R. N. Harper Brothers.

This is a tale of the English Revolution, and of the perils of Charles I., in the year 1647, and bears the impress of the genius of "Jacob Faithful."

THE MILITARY LIFE OF JOHN DUKE OF MARLBOROUGH. By Archibald Alison, F. R. S., author of the History of Europe. Harper Brothers.

The late discovery and publication, after a lapse of more than 100 years, of a batch of the despatches of the Duke of Marlborough, is stated by the author of the present work to have been the cause of his labors. The author tells us, that in reading those despatches he became impressed with the great military skill of the duke, as compared with that of modern generals, with whose exploits he had become familiar in writing the history of Europe. The total inaccuracy of Mr. Alison as an historian, and his admitted utter incapacity to understand military matters at all, induce a smile at the self-satisfied manner in which he undertakes a military biography. As far as the facts are derived from authentic documents they are doubtless matter of interest. Neither the honesty nor the judgment of Mr. Alison are to be trusted in any reasoning, either upon interested politics or the rights of the people, against aristocratic rulers. Mr. Alison seems always to be laboring under the horror of being haunted with the spectre of democracy, and invariably ascribes all the misfortunes, natural or artificial, which overtake a nation, to the degree in which the people have a voice in the management of their own affairs.

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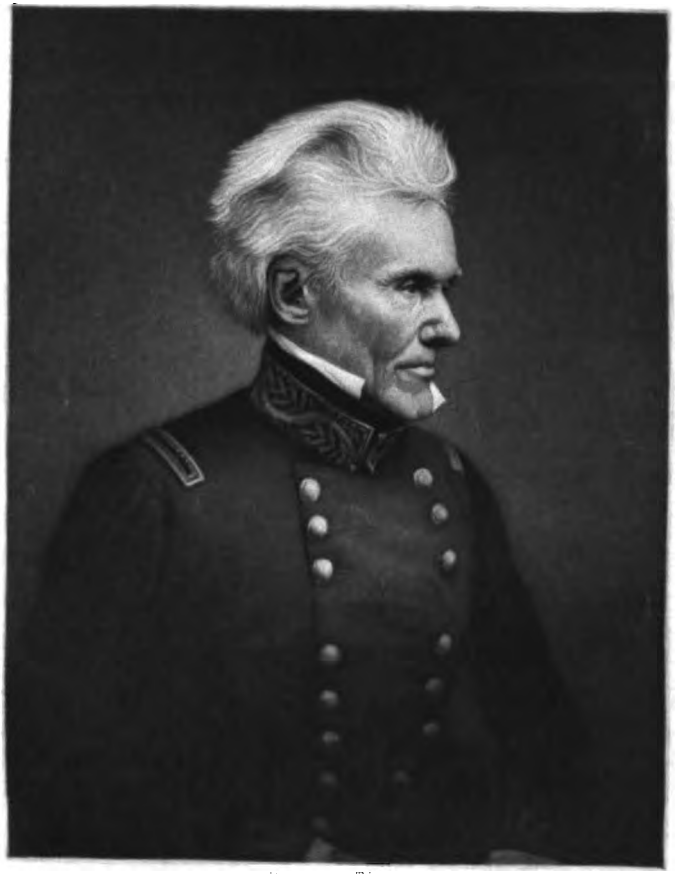

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Edmund Pendleton Gaines

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THE

UNITED STATES MAGAZINE,

AND

DEMOCRATIC REVIEW.

Vol. XXII. JUNE, 1848. No. CXI.

RIVER AND HARBOR IMPROVEMENTS.

The great *desideratum* in reference to this subject is, to draw some definite line of demarcation between the objects of state and of national improvement, according to the constitutional relations of the state and national governments. To fix such a line, is so absolutely indispensable to a safe and stable policy, that no analysis can be said to be pushed too far or performed too nicely, which serves to develope conclusively the principles on which it must run. We know how much it is the fashion of late for party and sectional chagrin to wreak itself off in sneers at "metaphysical subtleties" and "Virginia abstractions." But we know also, that we happen to live under constitutional, and therefore *limited* governments; that they hold to each other complex, and therefore *delicate* relations; that not merely the harmony, but the very existence of the Union is conditioned on a strict observance of its fundamental terms; and that neither the clamors of local interest, nor the alluring expediency of any project, nor the *apparent* fitness of any political organism to execute it; nor the seductive circumstance, that the partition lines of relative jurisdictions are not altogether free from obscurity, should ever tempt us into vague and sweeping constructions.

We want, and must have, at any cost of assiduous and critical inquiry, a plain and *definite* standard of general principles, by which every scheme of national expenditure can be tested, and our policy thus made systematic and secure. Without it, we must forever continue in the same uncertainty and confusion which have so long prevailed. One party, from its instinctive aversion to all usurpations or undue expansions of authority, will be found always shrinking from appropriations, which are not *decidedly* constitutional: the other, from precisely contrary instincts, will never hesitate to rush into any, which are not as decidedly inexpedient; and thus this branch of the national interest will be kept eternally tossing between the Scylla and Charybdis of these opposite dispositions.

It may be difficult to compose such a standard: it certainly requires severe analysis, running sometimes into distinctions, which, to a superficial view, may seem over-refined. But, if it really be true, that of a class of

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objects *prima facie* homogeneous, and only to be divided by tracing out many remote relations, there are some which are within, and some, alas! entirely without the orbit of our Federal government, then we insist positively, that no minuteness nor precision of analysis, serving to develope clearly the line of this distinction, is inappropriate to the nature and exigencies of the question. As an humble contribution to so great an end, the following views have been prepared—how imperfectly, no one knows better than the author; but yet in that *spirit* of demonstrative reasoning, which seems so much wanted to form an assured and sound Public Opinion. They are the results of our independent reflections. We pin our faith on no man's sleeve: we will sacrifice no article of it at the shrine of a great name. We deem it not only our right, but our duty, to think for ourself on all questions of public policy; and eminently necessary on this, in reference to which there is so much contrariety of sentiment among the first minds of the republic. In this spirit—we hope it will not be called an arrogant one—we have taken nothing on the credit or high reputation—rejected nothing from the impulses of party prejudice. When our judgment dissented from the doctrines of any great authority, we have stated it boldly with our reasons.

It will facilitate our progress, *first*, to present a brief and methodical schedule of all the works of improvement to which political agency is applicable; *secondly*, to describe that division of them which is obviously referrible to the several states; and *lastly*, to trace the constitutional outlines and just objects of national enterprize.

The whole scheme of public improvement with which our inquiries can have anything to do, comprises the following items:—

THE MEDIA, OR CHANNELS OF NAVIGATION, to be distinguished for the purposes of our argument into

First—Natural Channels or *Lakes* and *Rivers*, the latter of which are to be considered again under the following distinctions:—

1. Such as have been generally and usually navigated "in defiance of obstructions," a circumstance upon which the lamented Wright, in his letter to the Chicago Convention, seems to lay some stress.

2. Such as have not been generally navigated through their whole extent by the larger and more common vehicles of commerce, but are physically and geographically indicated for being improved.

In point of local relation to the states, on which some nice questions have been made to depend, rivers are also to be considered, as,

1. Those which are entirely *within* any *one* state.
2. Those which run *through, or between two* states.
3. Those which run *through, or between three* or more states.

Second—Artificial Channels, which may be classified as,

1. Those, the routes of which are mere connecting links between any already-established and *approximate* chains of navigation.
2. Those which are constructed to avoid some local obstruction in a navigable river.
3. Those which are designed to open a new and independent course of communication, and for the particular benefit of the regions traversed.
4. Those which are collateral to the great lines of communication.

LAND COMMUNICATIONS.—Rail Roads and Turnpikes. THE GUIDES, SAFEGUARDS AND DEPOTS OF COMMERCE:—

1. Light-houses, buoys and beacons.
2. Harbors, piers and breakwaters, which are to be distinguished as either for the purposes of shelter or of commerce. They are to be considered also under the following distinction:—

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1. Where nature has indicated them by the indentation of the coast, accompanied with an adequate depth of water.

2. Where, though not thus designated by nature, but requiring to be made in the main by art, they are yet needed at any given point by the present, or immediately *prospective* wants of commerce, either as a complement to other physical indications for a port, as the mouth of a navigable river or an artificial communication; or to afford shelter at a proper interval of distance; or because such proposed point has in fact become, or is likely to become, a focus of trade and travel.

Now, in this large array of enterprizes, there must be some belonging, unquestionably, to the agency of the several states. Our effort will be to denote the features by which they may be distinguished.

We will say, to begin, while the circumstance that any given improvement is entirely *within* the territorial limits of any state, and will be of peculiar benefit to it—the universal incident and effect of any work having a locality—does not *ipso facto negative* its national character; on the other hand, the circumstance that it will incidentally and ultimately serve the general commerce of the country, does not *ipso facto affirm* that character. All the integral members, and all the territorial parts of a confederacy of contiguous commercial states are so intimately connected together, that every artery in the circulating system of trade, however small or however remote, is in some degree a servant of the whole. From the ocean and its gulfs and bays, to the large rivers which empty into it, and from these down through canals, railroads, and common highways, to the by-roads of the neighborhood, we trace a common sympathetic chain of communication, the various links of which run into each other by imperceptible gradations. The last transit of commerce, as it spreads its sails for its destined port, is but the ultimate, *mature* operation, which a thousand primary agencies have prepared. Indeed, to draw any definite line between foreign and domestic commerce, or between that portion of the domestic commerce of the states, which is external between them, is a very difficult task. Yet, no practical statesman, who found it necessary in adjusting any department of public policy, would despair to find, by careful analysis, combined with enlarged views of the whole subject, some *general* characteristics, by which these different parts of commerce, and the different parts of the physical *media* of commerce, might be determined.

The internal commerce of a state, taken strictly, may be said to consist, in fact, only of those exchanges of property which take place within its own limits, among its own citizens, for their own use and consumption; and even these exchanges are, in an indefinable degree, complicated with the concerns of external trade. Beyond this narrow description, you cannot pursue it clearly; for all transactions, made with reference to an external trade, belong to it, in an enlarged view, as legitimately as any of its subsequent processes. Yet, the internal commerce of a state, considered with reference to its aptitude to exclusive state jurisdiction under our federal system, fairly admits of a much more extended definition. After foreign commerce has paid tribute and homage to the national government, and after domestic commerce has paid due tribute and homage to state sovereignty, and both have passed completely beyond the operation of political causes, they assume the character (subject to be qualified by some considerations to be hereafter noticed) of internal commerce, falling under the exclusive regulations of the several states. For the interposition of federal authority is only demanded by those transactions, or phases of commerce, which relate *between* the several states—their territories and populations. This mutual interest ceases to attend it after it has actually passed into an ordinary subject-matter of municipal regulation.

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The whole idea of commerce, in its bearings upon our question, involves the following components:—

1. Negotiation, or the business of bargain and sale, purchase and payment, or *mercantile dealing*.

2. Storage, or deposite of commodities in waiting for opportunities of transit, or the chances of market.

3. Transit, or the actual transportation, by land or water, of commodities from one place to another, in the collections or distributions of commerce.

Transit may also be considered with reference to—

1. The *vehicle* of transit as an object of revenue, health, or police regulations.

2. The *channel*, or *medium* of transit, as an object of governmental supervision and control.

3. The *commodity* transported, as an object of impost for revenue, for inspection, or for sumptuary purposes.

It is to be further considered as taking place—

1. From one state to another, on a great natural highway, as the ocean, its gulfs and bays, the lakes and navigable rivers.

2. From one port to another of the same state, but still on these great natural highways.

3. From one port to another in the same or different states, on artificial highways.

This style of analysis, I confess, seems over nice, and tending rather to confuse than assist inquiry. But a little further progress will convince the reader, that the clearness and certainty of our conclusions must depend entirely upon this rigid and somewhat refined resolution of elements.

So far as the *personal* rights of the citizens of the several states are concerned, they are secured by Sec. 2, Art. 4, of the Constitution of the United States:—"The citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states." We are, therefore, to consider commercial relations to apply only to the *persons* of the agents concerned in them, as *residing* in different states, and to the *channels*, *subjects*, and *vehicles* of *transit*.

It is the undeniable function of every municipal sovereignty to administer its own internal economy; to make all necessary laws and institutions for the development of its own resources; for this purpose, to establish an adequate system of inter-communication between its several ports, and generally to perform all objects of a political nature, situated within its own territorial limits, except such as, from their geographical continuity into other municipal jurisdictions, and the community of interest thereby induced, are fit for the interposition of some federal agency. Now the several parts of our Union are wholly, or in part, bounded from each other by ideal lines, instead of each running out to the full scope of an independent physical region, as is the case with the principal countries of the old world. The seacoast is thus divided among the Atlantic states, nearly irrespectively of any striking denotations in its outline. The lake coast, also, is partitioned among the states which border on it, in a similar manner; even chains of mountains are not observed as civil boundaries, and, with the exception of the Mississippi and the Ohio, all our large navigable rivers traverse the country in defiance of the limits which we find marked on the political chart. This state of things, combined with the federal system of government under which it exists, would, of course, develope a peculiar order of political necessities as to affairs of mutual importance to the sovereignties thus connected. Still, as the several states are municipally supreme, re-

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stricted only in matters pertaining to their external relations, and by some few cardinal principles of legislation, deemed worthy a place in the national charter, we should at once be prompted to assign the great burthen of internal improvement to them alone; and an examination in detail will confirm this idea.

First.—Artificial Channels of Navigation.

Canals, though in most cases forming links in the great chains of national intercourse, as the Hudson and Erie, the Wabash and Erie, the Chesapeake and Ohio, and the Illinois and Michigan, have usually been constructed by the states. It is obvious that the predominant motive for such works is to benefit particularly and proximately the states through which they run, by facilitating their own internal, commercial, and general intercourse, besides serving as permanent and popular means of revenue—an object which never fails to be accomplished when the canal is well located and wisely managed. When entirely within their territorial limits, they are capable of exercising unqualified jurisdiction over them; and in such cases, their entire fitness for the work is incontrovertible. And, as Gen. Jackson well said in his message in 1832, "if the money can be collected and expended by these more simple and economical political machines, it will unquestionably be safer and better for the people, than to add to the splendor, the patronage, and the power of the general government." In aid of this class of improvements, in the western states, Congress has exercised its plenary power of regulating the territories of the United States in liberal donations of land by alternate sections. And there can scarcely be a doubt, that in the new settled states, where there are large bodies of the public lands unsold, and where such works tend to facilitate the sale and enhance the value of them, Congress may, in this form, rightfully assist them.

On this head, we make the following propositions:—It is for the state to make any canal, the *termini* of which are within its territorial limits, and which is not designed chiefly to avoid some local obstruction in a natural channel or highway of national intercourse; or to connect two such channels, when divided by a mere *isthmus;* but, on the contrary, is projected for its own benefit as a means of communication to a large section of its own territory, and of revenue to its treasury. The terms of this proposition imply, that it is *not* the *unexceptional* business of a state to make a canal, which is designed to merely complete a broken or imperfect link of national communication, where the direct benefit to its own proper interests is utterly disproportionate to that which it would confer upon the whole country, and when its relative position to any *national* highway of commerce imperatively dictates, that it should be unencumbered with any fiscal or other restrictions from state authority.

It is also the business of the several states, even in the case of a canal communicating between two or even more states, which, not having the above features, is intended to form an entirely new and independent line of trade for their mutual benefit. Where only two states are concerned, it is not doubted but that they may, by consent of Congress, adjust whatever general regulations may be necessary in reference to the canal. And even without such compact and consent, or in the case of *three* states being concerned, it is yet practicable, though perhaps at some sacrifice of convenience, for each to regulate that section of it which falls within its own jurisdictional lines.

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Secondly.—Land Communications.

This class of improvements, save in a few remarkable cases, urged upon extraordinary grounds, has been generally referred to the power of Congress to establish post-roads and roads for military purposes, overlaid sometimes with the broad power "to provide for the common defence and general welfare." But so rapid has been the settlement of the country, that whenever and wherever it has been expedient to extend the mail service or provide for military exigencies, roads ready made by previous state enterprise, have generally been found to supply the *desideratum*. Indeed, in almost every case, these national pretexts have been put forward only to disguise the real purpose of sectional advantage.

As to railroads, it is hardly to be anticipated that they will, at any time hereafter, be strenuously proposed to Congress for any of the ordinary exigencies of the country. The powerful inducements which such works offer to corporate enterprize, and the feasibility of making between the different companies of connecting roads all the arrangements which are necessary for their mutual convenience, have proved quite sufficient to checquer the whole face of the Union with them.

As to any inferior kind of land communication, it is still less to be anticipated, that in this age any project will be seriously set on foot to introduce them into any important chain of intercourse.

This brief view is supposed to be sufficient to assign beyond dispute, to the several states, the improvements above mentioned, which, indeed, were not immediately within the pale of the great political questions in hand, and were touched upon mainly to clear those questions of connections which might confuse our investigation. We are now ready to trace, with some greater degree of precision, those objects which are left to the agency of the federal government.

The cause of national improvement has been argued upon some or all of the following grounds:

First—The power of Congress "to lay and collect taxes, duties, imposts and excises; to pay the debts and provide for the common defence and general welfare of the Union."

Second—"To provide and maintain a navy."

Third—"To establish post-roads," and roads necessary for military purposes.

Fourth—"To regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

In reference to the first power claimed, it seems entirely superfluous to say a word after the unanswerable demonstrations of its pertinency advanced by the highest authority, by Jefferson, Madison, the Federalist and other cotemporaneous expositors of the Constitution, and in later times by the powerful intellect of Mr. Calhoun, and other statesmen of scarce inferior weight. We shall dismiss it after a brief synopsis of their reasonings.

1. It is not a substantive power, but only supplemental to the delegated powers of Congress. It is a grant of the means of raising money to carry out those particular modes of the common defence and general welfare which are expressed in the Constitution. As Mr. Calhoun says in his Senate Report upon the Memorial of the Memphis Convention, "they," (the committee) regard the expression like that "to provide for the general welfare," to be not a delegation of power, but a mere general designation of the powers specifically delegated to the government for the purpose of defending the country, and which are enumerated in the afterpart of the same

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section. They are to declare war, grant letters of marque and reprisals; to make rules for captures on land and water; to provide and maintain a navy; to raise and support armies; to make rules for the government of the land and naval forces; to provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions; to provide for organizing the army and disciplining the militia, and for governing such parts of them as may be employed in the service of the United States; to exercise authority over all places purchased, with the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards and other needful buildings."

2. As to the words "general welfare," he says: "We deny that there is in constitutional language, any general welfare of the United States, but such as belongs to them in their united or federal character, as members of the Union. The general welfare in that language, is the welfare which appertains to them in that character, in contradistinction to their welfare as separate and individual states. Thus interpreted, the general welfare of the United States cannot extend beyond the powers delegated by the constitution, as it is only to that extent that they are united or have a federal character.—pp. 7 and 8.

"To admit a construction which could have the effect to embrace all measures calculated to have such effect under any or all of these powers, would be to confer on the federal government unlimited powers." In another place, viewed as a power to be used without reference to the powers specifically delegated to carry into execution whatever Congress, in its discretion, may think to be calculated to provide for the common defence or general welfare, would not only reverse what was intended in delegating it, but make the government, in practice, one of unlimited powers." In another place he says, "that its improvement, (the Mississippi,) would aid materially in the defence of the country, they readily admit, but so would a good system of railroads, or any measure which would contribute to develope the resources and capacity of the country physically, intellectually or morally. "There can no addition be made to the wealth of the country, the increase of its intelligence, or the improvement of its morals, which would not add to its capacity to defend itself."—p. 9.

The plain and forcible nature of these views, taken with the fact that there seems to be at last a disposition manifested on the part of the whigs, to repose the authority of Congress upon more specific and satisfactory grounds, renders any further elucidation needless.

As to the power concerning post-roads and roads for military purposes, we have previously touched upon it, and we think sufficiently.

It is now time to see how broad that basis is on which we are driven, to retreat with our great cause, viz: the power to provide and maintain a navy, and the power to regulate commerce. And first, of the latter power.

In interpreting this part of the Constitution, we must have reference to the physical character of the whole country, between parts of which it relates; the previous experience as to the subject matters embraced under the power, which guided its framers, in conferring it; the industrial relations which characterize the Union, and the past operations of our complicated political system in regard to it. For, a student of that instrument, who should read his text with no better lights than a dictionary at one elbow and a grammar at the other, would hardly be able to achieve a very profound or comprehensive insight into its scope and bearings. The literal meaning is indeed to be our first study, and no meaning incompatible with it, is admissible under any modes of construction. But we are yet to bear in mind, that the abstract primary meaning of words, as appearing to the

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philological student, is not the full relative and practical meaning which they take from context and circumstances, any more than a leg or arm in the hands of an anatomist gives a perfect idea of its functions when acting in the living system. It is also to be observed, that legal and political phrases frequently acquire a technical meaning, different from both its primary and popular one. For instance, our dictionaries tell us that to *regulate*, means to *make rules for*, nothing more or less. To regulate commerce accordingly is to make rules for commerce. Now, making rules for commerce in this stringent style of argument, would amount only to passing general directory laws concerning its operations. But where then did Congress, on the 7th of April, 1789, just a month after the commencement of the government, get its right to pass an act for "the establishment of lighthouses, buoys, beacons and public piers," at its expense and under its direction? Where has it got its right to stud the Atlantic coast with these securities of navigation, and to appropriate some millions of the national treasure therefor? Why is it, that no article in this long schedule of expenditure, has ever been questioned or for a moment arrested on constitutional scruples? began before the ink in which the Constitution was written was fairly dry, under the immediate auspices of the very men who concocted it, and without a dissenting voice in the nation? All this, too, in a country where party spirit inexorably arraigns everything done by the existing ministry of the government, and where every exercise of civil power is rigidly put to the test of constitutional authority? It may be answered, and with no little truth, that such objects seemed on their very face of so decided a national character, that Congress undertook them at once, as a matter of course, without a critical reference to the charter of its powers, and depending upon an unanimous popular approbation for its support. But unless we are prepared to reverse all established rules of exposition, we cannot denounce as unconstitutional, that which was done in the very infancy of the new government, by the very men who framed it, in connection with the very intents which first dictated the federation, and when the new machine was acting under its *first natural* impulses.

Let us close the dictionary, and, map in hand, open history. From the latter we should learn, that the most powerful inducement for the plan of the Union, was the commercial interests of the states, mangled and wasted in the clash of rival sovereignties. With the assistance of the chart, we might learn the peculiarities of the physical theatre on which this commerce was destined to operate. On its eastern border, we find an ocean rolling along its whole extent, forming a medium of foreign and of mutual intercourse to the adjacent states, and a common highway for the whole world; indented with bays and natural headlands, and interspersed with reefs and shoals. On the south we should see that ocean, as a mighty gulf, receding westward to receive the vast tribute of the Mississippi, and continuing this medium of intercourse to the extreme south-west. Here, looking upward into the great valley which opens before us, we should trace on the one hand the dim outline of the Alleghanies, overlooking the Atlantic—on the other, the snow-clad peaks of the Rocky Mountains, some thousands of miles westward, surveying from prouder elevations the expanse of a broader ocean, but dividing their tribute between both. We ask for the area of this valley; the extent of this great river and its tributaries? It would be answered, that it contained "12,000,000 square miles, lying in its whole extent in the temperate zone, and occupying a position midway between the Atlantic and Pacific oceans; unequalled in fertility and the diversity of its productions; intersected in every direction by this mighty stream, including its tributaries, by which it is drained, and which supply a contin-

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nous navigation of 10,000 miles, with a coast, including both banks, of twice that length."

Proceeding towards its source, we descry almost within a stone's throw from the native springs of the Mississippi, the head of a chain of lakes or inland seas, which we might follow along the whole northern border of the republic—a munificent gift of nature to the north and west, equal almost to that which bathes the feet of the Alleghanies.

Along these vast exterior and interior lines of communication, the various commerce of ONE PEOPLE is incessantly circulating. The first settlements and earliest commerce were on the Atlantic coast and its rivers. That coast furnished natural harbors sufficient for the hardy pioneers in American trade, and its simple and limited wants. The rivers, when navigable at all, were, from the prevailing geological formation of the country, deep and unobstructed. Little or no applications of art and labor were required, and when the *foci* of commerce were yet few, these were easily and gradually made, without calling in any general aid, by the local interests concerned in them. When our general government was projected, commerce and navigation had largely increased; and from the frequency, rapidity and intimacy of intercourse among the states, had become one connected sympathetic system. Its demands for security and convenience became larger: light-houses, beacons, buoys, and harbors were called for, and it instinctively turned to the national government, under whose flag it sailed, to supply them. That government as instinctively responded to the call. No expenditure was extravagant for this greatly darling interest. When it came into existence, it found that previous local enterprize had sought out and established harbors for commerce. Its main business was to furnish harbors for shelter, which, as might be anticipated from the fact that such harbors are for the benefit, not of any particular locality, but of vessels *in transitu* from port to port, had not been so fully provided before the federal organization.

In process of time, the tide of population surmounted the Alleghanies and spread through the valley of the Mississippi, the whole of which we had finally acquired. Commerce followed, but it found a somewhat different system of communication from the hands of nature. A vast lake coast, with but comparatively few harbors, and a navigation far more dangerous than the ocean itself: a system of rivers still more stupendous, embracing with its Briarean arms the greatest valley on the globe, with only occasional falls, or other insurmountable obstructions, but more frequently obstructed by sandbars and snags, all of which, however, were of such a nature as to be easily and cheaply removed. Notwithstanding difficulties and dangers, a commerce, never behind the East in activity and intrepid adventure, and soon approaching it in magnitude, thronged these *media* of navigation with every species of sailing craft. Farther and farther, on every stream, where navigation was barely possible, it pushed its way, until at last, when the statist collected into one picture its diffused elements, it in fact invested the infant West with the sceptre of commercial ascendancy. From time to time, as it was in process of settlement, Congress, perhaps without any critical inquiry into constitutional principles, appropriated small amounts for the erection of light-houses and harbors on these western waters, and for the removal of snags from the Mississippi. From the combined wants and eagerness of the young states, there sprung up a spirit of importuning Congress for local improvements—roads, railroads, canals, and the clearing of minor streams. At length the indulgent disposition of the national government was startled into inquiry. The constitution began to be perused with critical eyes. The prodigal scheme of expenditure,

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which a federal administration had adopted to gratify sectional demands and the spirit of speculation, was sternly met by Gen. Jackson, and swept from the national policy. And, from the difficulty of discriminating between these local improvements and those which were truly national in their bearings, and could be placed on the same basis with the seaboard expenditures of the government, there was unhappily engendered a prejudice against *every* solicitation of the West. This was hardly to be avoided in the rigorous and resolute struggle rendered necessary against Mr. Adams' unbounded plan of Internal Improvement and eternal debt; but it has resulted, nevertheless, in injustice to the vast sisterhood of states embraced by the giant arms of the Father of Waters. We are finally reduced, in behalf of the momentous interests at stake on this question, to extort from the federal authorities, by rigid and irresistible demonstrations, not only of expediency, but of constitutionality, that aid which was "a labor of love," performed without measure, towards the older East. In short, we are to be treated with the rigor of Shylock, and to have only what is plainly "written in the bond." With these preliminary observations, let us pursue our argument.

First—What is the scope of meaning of the word *regulate* in the sentence of the Constitution in question?

Second—What objects are embraced in the idea of "*commerce among the several states?*"

Third—In what view of the mutual relations of "the several states" was that phrase used?

We cannot subscribe to the doctrine advanced by a distinguished man at the Chicago Convention, that to regulate an object of government is to exercise complete control over the subject matter. There may be cases where this might happen to be true, but there are others where it would be utterly untrue; and this, we think, is one which does not need the aid of so questionable a doctrine. The extent of the meaning is measured by the nature of the object, as well as the nature and relations of the authority entrusted with it. Here we see at once there are some parts and phases of commerce perfectly well adapted to the municipal functions of the states. We know, also, that the monarch principle in adjusting the frame of the general government, was to limit its powers to those objects which were not adapted to the jurisdiction of the states severally. To admit the meaning proposed would be to render these distinctions nugatory. What is it then? We will venture to give the following definition, to establish the terms under which mutual commerce between the several states is to be conducted; and also, so far as the vesting this power exclusively in Congress, conjoined with general policy, shall render it unjust, improper, or impossible for the several states to do so, to provide for the *physical* necessities of navigation, in extending and clearing the channels of navigable rivers, and constructing light-houses, havens and beacons, wherever demanded. This is the practical construction which has governed the Atlantic policy of Congress from the outset. It is not difficult to trace a rational parallel between the exigencies of the East and West. Every light-house, harbor, and port channel, from Maine to Georgia, is, in some state or other, the same thing that happens from Mackinaw to the Delta. Not one of these objects is in itself uncongenial to the power of a state government to execute; not one is beyond the fiscal abilities of the very poorest one in the Union; not one but is of some peculiar advantage to its immediate vicinity; nay, not one is beyond the political power of the state to *construct*, although Congress has the exclusive right to designate ports of entry, and to govern them for revenue purposes. Every light-house improves the line of navigation on

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which it is built; every buoy or beacon, fixed to warn the mariner of places of danger, is one form of *physically removing obstructions to navigation*, and rationally implies a power to effect the same object in some better way, if there be a better. If Congress can rightfully go down to the seaside to mark a shoal with a visible sign, or stand on some dangerous cape with a friendly light to guide the sailor at night, it may accomplish the same end in some other way. Yet all this is a downright improvement of the channels of intercourse in the only modes which the nature of these channels admits of. After the states had surrendered to Congress all authority over commerce with foreign nations and with each other, and all right to make revenue therefrom (except in one or two limited cases,) they naturally expected the general government would not leave them to provide for its physical necessities—one of the prominent objects of levying revenue, and to be performed most aptly, efficiently, and systematically by the federal organism.

Take the above construction and translate it to the West. The Mississippi and its chief tributaries and the lakes, are as truly great highways of national commerce as the ocean. Local obstructions do not deprive them of this character any more than the occasional reefs and shoals of the seacoast do the sea. More than this, Congress has declared them such, and extended maritime jurisdiction over them. They are, accordingly, not only natural, but *legal* highways of common commercial intercourse. They have their dangers, their difficulties, and their defects for purposes of navigation like the ocean; they bear the same common relation to the states, and admit, by every sensible analogy, of the same application of the power in question. But we reserve the remainder of our argument for another number.

THE DUTIES OF THE STATE TO ITS CITIZENS.

Government has been defined a wall of defence to protect the nation; but so far as this is a definition of the term, it is taking it in a very limited sense. The government of a parent or a school has regard both to the education of the governed and to those provisions which protect them from injury. That of a state, being more limited, cannot reach the private acts of members of a family, but it does point out and enforce the duties of parents to their children, though, as is remarked by the learned commentator on English law, Providence has done this more effectually than any laws. The constitution and the laws form the government of the state. The institutions which do not originate in these are private, and depend on individuals for their efficiency and support; and there are certain plans which should be carried out in society, which are so necessary to its welfare, that the state is without power to preserve its free institutions, unless it may oblige its citizens to effect them; and however great be their willingness to co-operate in these plans, they need some general authorised method to guide them.

To enforce the whole duty of man by laws, is impossible. Matters of conscience are beyond the control of outward ceremonials, being known only to the individual; and those laws, which are for a defence of our rights, are, at the same time, rules of duty, though the state has no right to punish theft for any other reason than because it is a violation of the rights of pro-

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perty. The laws direct certain acts, not because they are virtuous, but because they insure the safety of the governed, though it is true that a people can be secure only so far as integrity of principle is practised and virtue is disseminated among them; but if they may only forbid or command certain acts for the reason of their being protective, their influence is limited to less objects than if that be done, not because they brought immediate protection, but because in future they conduce to the greatest good. To punish theft is to protect, because otherwise injury would accrue to the property of individuals; but for the same reason, no punishment, however moderate or judicious, can reach wanton idleness, unless it be carried to this, that by punishing it, society will be freed from its support. But idleness, when amounting to vagrancy, with many others its like, is an evil in the political body, and as such is punished. Government, though it may not consider acts in themselves, aside from their influence on the state, yet it should have a far-reaching sight; and the tendency of certain things, which have not yet been subject to legislation, should be well considered as regards their future influence upon the state; and if there that influence will spring up powerful for evil, it should be checked with no less promptness than the hand should be restrained that holds the torch of the incendiary to your dwelling. Any other course is shortsighted, unworthy, ignoble. Expediency, right policy, justice, are united in this.

Public virtues are the pillars of support to the state, while vice is the quicksands at their base; and however solid be the first, they will slide from under their burden, unless based on surer foundations. But next to the evil of resting the government on too narrow a basis, is too great a multiplicity of laws. Government can and should exercise a strong power over a people, but it should be as little direct and far removed as possible. It should be the great heart from which springs the healthy action of a nation, and is never more successful than when it elevates by force of example and directs to virtuous action, and by latent influence more than by show of power, insures their accomplishment, thus performing its duties, and leaving to the political body its freedom.

It was remarked, that the constitution and the laws make up the government of a state; but this is only true, because all other powers are derived from them. In practice, the dispositions and conduct of the executives—the character and efficiency of the magistrates and council, are equally a portion; and not only the efficiency of the laws, but of every organ of government, is felt through every vein of the state. Laws owe their origin, in a measure, to public opinion, and it is required that the latter never fall behind the former if we would continue to them their full force. This is the difficulty when good laws cannot be enforced. When bad laws are known to be such, they become changed or fall into disuse; but sad is that state when the laws of a people are above them. It is necessary that there be a care lodged somewhere, that the people advance, or at least do not fall back in intelligence and virtue. It is true that it is the duty of individuals to see to this, but it does not follow from this that it is not also the duty of the state. It is no less the duty of each individual not to infringe upon the rights of his neighbor, but the laws likewise have a care to this. The influence in this should not be direct, unless in some cases it should appear necessary; but a thing of so much importance, and on which depends the safety of the social fabric, should be its watchful care.

How, it may be asked, can the state extend its influence to the virtue or intelligence of a people? And does it deprive individuals of the exercise of any virtue, when we add the force of the civil to that of the moral law? The virtue of the disposition is still left after the addition of the civil law;

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and he, who should be just, because he was obliged to be so, would have been no better, had there been no law for justice, and the state receives its benefit. Virtue will not be compelled on a sudden to take up its abode among a people; it must grow up with them; it must impart true freedom; it must form the nation's manhood before vice has held it in its grasp; it must enlighten the minds of men, until they shall choose to bind themselves so fast in its service, that no allurements can draw them from it.

It is important that the various classes of laws be clearly defined; that the moral, the civil and the national have their separate spheres; and that these spheres be clearly defined, devolves upon and is involved in the government of a nation. But with the national, the mass of men have but little concern; and the moral many are inclined to slight, while the civil being more clearly known, as all men are presumed, and almost obliged to be informed of it, exerts the most potent influence. While all acknowledge the moral laws binding, they hold themselves not answerable to men concerning them; but on the contrary, so far as they acknowledge the right to legislate, they consider themselves bound to obey; and where they do not acknowledge that right, every expedient of evasion will be adopted; and while these classes of laws are distinct, all laws have their foundation in the moral. But it is so necessary to the preservation of the state, that a portion of these laws be rigidly enforced, that there has been superadded the obligation of force, and the question has now come to this—how far is it good that this power extend? It has commenced with, thou shalt not kill, and the law the least necessary to the state with which it has concluded, we have not now in mind, and do not know if it would be easy to determine. A law may be good in itself and just, but the people not receiving it instead of being benefited, may only be irritated by it; and it is preferable that they be prepared for laws by appreciating the reasons of them, before those same be enjoined upon them. Again, in looking to history for a guide, large states may not successfully follow the examples of states possessed of less territory or of fewer inhabitants; and so far as our own government can exert its influence over learning and virtue, it can be most successfully exerted by individual states, counties and towns.

"The tyrant Philopœmon obliged the Lacedemonians to change their manner of educating their children, being convinced that if he did not take this measure, they would always have a great soul and a noble heart." The education of a people is necessary to the very existence of a nation; not meaning by this the rudiments of learning, but that intelligence be widely diffused among them—that intelligence—that knowledge of their own interests, which should free them from the impositions of demagogues, whose only virtue is their large pretensions, but who know so well to play their game in the political camp, and bend here and there, that they outstrip the patriot who scorns such vile practices; while that man who would not crook the knee "where thrift may follow fawning," fails of the suffrage of the people. There is less need of humbling the aristocracy than of elevating the people. In the former, there may be a tendency to hold themselves too far aloof from their kind. In their independence, they may take too little concern in the affairs of humanity; but so far as they are this, let generous hearts, though in rags, take courage, for they are above them. But cavil not at those, who, from the tastes and manner in which they have been educated, and from the independent position in which their fortune has placed them, seem to have little sympathy with the mass of men, but in whose hearts there is a depth of kindness, invigorating the poor and renewing the spring freshness of their hearts. Suspicions on the part of one may dampen the ardor of the other, and censure, when applied to a class, is too often the bearer of injustice. At the superciliousness of purse-pride we are justly indignant, but it has no claim to the

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rank of which we speak. Let vice, in all its forms, receive its merited rebuke, and virtue, whether in jewels or rags, its just reward. Let prejudice be removed from the minds of men—those "idols," as Bacon called them, so fatal to truth. Until these are removed, they are like vessels, whose contents turn every new ingredient into its own likeness, and are unfitted for service, until their sediment be removed. If each opinion should be subjected to the test of a rigid inquiry into the reasons in which it is founded, how many would turn out to have originated in youth, from the teachings of those who had hastily judged of the matter; how many from the merest fancy, or at best, the most superficial reasoning; and some would be found to have sprung wholly from our feelings; but reason is the noble light, which should, in all things, guide a people. This is the star sent to guide us; it is superior to the shoals and quicksands on the chart of life. Guided by it from its commencement, a state will outride every storm, leaving behind the flinty Symplegades and Scylla's rage and Charybdis' roar. Though no mortal skill may withdraw from the whirlpool's circlings, timely care would have escaped its nearings.

It is true, that government is best which governs least. Its commands should be powerful, but seldom given, and for a long time obeyed. It should supervise all with a watchful care, and direct with such skill and harmony that its presence be barely seen. It should impress upon the governed, that they are responsible to themselves, and answerable to the laws only on condition of having betrayed this trust. Great multiplicity of laws disgraces a nation; it implies, either that they are unskilled in the principles of government, or that the people have thrown off their allegiance to themselves; though, at the same time, a nation, in its infancy, have need of fewer laws than when interests and pursuits have become intricate and multiplied; and among corrupt nations, heaping laws upon laws, has seldom been of any avail. If we look for a great nation, precaution must be taken at the outset; we must begin with the child, if we would take pride in the man.

It is the duty of the statesman to know how far the government in which he is acting a part, is responsible for the prosperity of a people; how far it is judicious to compel; how far they should be left wholly to themselves; what things are necessary for the preservation of the society; and not only this, but also, what things are necessary for its highest advancement—its chief good. The good citizen is in need of no laws; but well-disposed men may need direction, while the evil-disposed must be compelled. The intelligence, the integrity, the learning, which it is necessary that a people possess, in order to the well-being of the republic, should be first understood. And these considerations will only include here the interests which go to preserve and advance the state, aside from that organization and arrangement which should defy the invasion of enemies from without. For it should be the first care that there be no enemies within: such as cowardice, injustice, disaffection, effeminacy and ignorance. A country strongly fortified, but possessed of an unpatriotic and effeminate people, would be like the most slavish of the Greeks, clad in the armor of Achilles. The great soul and the noble heart should be first cared for. If the prosperity of one nation has hitherto followed that of another, like the ebb and flow of the sea, it is not to be attributed so much to the instability of institutions as to the fickleness of the people. The less the intellect is developed, the more the feelings preponderate, and the more a people are in need of and subject to excitement. Many a people have fallen below their institutions, but few have risen above them; and especially is this true of republics. And one command timely given is worth many that come too late. Those whose early discipline has been neglected, will need many rules by

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which to govern their conduct; while those who were timely directed will be a law to themselves. Only when this principle is acted upon can that principle be thoroughly true, that "that government is best which governs least."

There are few instances on record where the wants of a people who for a long time have existed as a nation, have been especially looked into. A certain policy has been commenced with their origin, and in too many instances, continued when their circumstances were materially changed. Too little regard has been given to the different policies which it is requisite to pursue towards the same people at different times. At first they may only need protection; but corruptions, fatally blighting, do creep in with age, and their very approach should be guarded against as the treacherous and insidious diseases of the heart.

The current of every densely populated city is downward. Our twofold natures must be more strongly influenced by those principles and scenes which elevate than by those which corrupt. The degraded must be raised by some powerful force, or spread their corruptions through society. There are numerous instances given where individuals have done much in proportion to their power, but little when we regard all that was required to remedy the evil. And when a nation has once become corrupt, is there not lodged within it a power to restore itself. If it be too far gone, the probability of remedy is precluded. But is there no remedy for that state where there are powerful classes of rich and educated on the one hand, but on the other poor and degraded, whose crimes and degradation annoy society, and require much of its attention and time to legislate for and punish them, without any promise of lessening them? This is the actual state of most of our large cities. Society has been thought generous to provide almshouses and penitentiaries; and individuals have honored humanity in the beneficence with which they have endowed private institutions. Man in his lowest state is well cared for. If he is forced to become a beggar, the asylum affords him a refuge; if he can find no employ, and of necessity must beg or steal—if he fall upon the latter, there is a home provided for him; or if left to himself, the wayward fortunes which draw him after them, lead him, ignorant, degraded, unsunned by the smiles of the prosperous, untaught in right, uninstructed in duty, surrounded by vice, and poverty, and misery, into the worst of crimes, he is still provided for. This is not to be harshly spoken of; if they have not begun timely, if they might have bestowed their aid more wisely, it is because there has yet been no other way pointed out, or if it has, it has not received their confidence. Again, the rich have generously provided for the erection of noble edifices, and their spires, pointing to the sun, supplies to the city the good influences of nature. But the light that illumines these, is shut out from those who are most in its need. Degradation and crime must have their causes, their inducements, or at least it must be known that men born in certain conditions of life, must, almost of necessity, be brought up in ignorance; that those who from infancy have been surrounded by the various attendants of extreme poverty and degradation, can hardly be expected to be wholesome citizens; and it will be found that most of the thefts will be committed by this class, and arsons, whose end is theft, and from this class, also, our asylums and penitentiaries are filled. If the children of the poor could be educated in such a manner that those influences would be counteracted, and they fitted to become wholesome citizens, the work would then have been well begun. Is it practicable to attempt such a thing? indeed it never has been done. But where does the duty lay, to

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see that the youth of our country are fitted to do the duties of citizens of a republic? Must not the state, if it would secure the good of its people, if it would hope for permanency, look to this? The purses of the rich have been largely taxed to render the condition of the outcast tolerable. If the other be the right method, would they not more cheerfully give for that, and thereby not render degradation tolerably intolerable, but form contented men and good citizens? To do this would be to remove many of the causes of crime; to do this, would add to the number of good citizens; to pursue this for a length of time, would greatly benefit the republic. Before a state can reach the class which we have just been considering, and elevate them above crime, and through them confer on itself a benefit, the public mind must approve of, and desire it. The lowest should not excite our disgust, but our pity; and if we leave this class to elevate themselves, it will never be done. The interests of the state call us to the task. Such a course will be, to decrease the need of laws, for there will be fewer objects of legislation to purify the state of crimes, for their inducements have been removed, to diminish the evils which it receives from the ignorant, who are incapable of doing their duties towards it to advance the best; for numerous impediments to their progress have been removed to increase the aggregate of virtue; for those possessed of power for good have been elevated by exercising it, and the indigent and degraded have been advanced, where, if they do yet but little for the state, are above doing it an injury. Instead of regarding the state simply as a wall of defence, we would have its whole aim to ennoble its citizens. If the mass are already intelligent and well disposed, they need only to have their rights defined, and to be protected from outward invasion. A healthy state of morals precludes the necessity of numerous superadded laws; but where this is not the condition of the mass, no effort should be counted too arduous, no exertions or talents, no time or expense be considered misapplied, that tends to raise them from their degradation. Our broad territory has been wisely partitioned into states, counties, towns and districts, or wards, that public or private efforts may not be exhausted or rendered availless from the vast space over which it shall become spread; but each of these divisions have it in their power, by the co-operations of individuals, with authorized regulations, to remove the evils which have crept into society. Much has already been done, but a numerous class in every densely populated place are yet unreached. It is the first, the last duty of the state, to watch with jealousy that its members, nor poor, nor outcast child, omitted, become worthy of citizenship. It requires no superior goodness to be earnest in this—it is the requirement of prudence—it lies at the very basis of the social fabric. Is it a question of "right, of expediency, of necessity?" It is all of these. Will the offer be declined? Will they decline the benefit? Their duty to comply is equally imperative with yours to offer. We are all under equal obligations to the state. Will the reception of emigrants defeat the success of such a course? So many coming among us who are very poor, while very few come who are rich, puts a very unfavorable appearance on our poor generally. No employers come, but a multitude who desire to be employed; hence the competition among this class—the beggary, the misery, the crime. We have all the resources, the benevolence and the beneficence among us that is needed to raise the national standard; but what resources are sufficient for so great a mass as are constantly thronging in upon us. And yet we boast to have received with open arms the oppressed of every land; and if they come among us, they should become both the subjects and the recipients of our wisdom and our goodness. May injuries to our peace never creep in under the mantle of be-

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nevolence. Our country first! our country last! whose foundation is only laid sure, whose prosperity is only secured, when the minds of the children of the hovel and of the alley shall have been illumined with the sun of intelligence, and their hearts been unfolded to the charms of goodness; when, instead of the brier, the myrtle tree shall spring up and diffuse its fragrance.

BANK CIRCULATION.*

The use of promissory notes, issued by corporate companies, and payable on demand, as money, has been carried to a far greater excess in the United States than in any other country of the world—with the exception of Scotland; and experience has developed the manifold evils with which the system is fraught, as hitherto conducted. These evils seem to flow from a misunderstanding of the nature of money, and of the degree of influence which it exerts upon the industry and wealth of a nation. Money of itself, whether it be gold and silver, or their substitute, bank paper, is instrumental in the transaction of a very small proportion of the whole business of a nation. Almost the entire business of any commercial country may be said to be transacted through the operation of individual bills of exchange, each one of which represents a specific commodity, the delivery of which fulfils the obligation of the bill, and completes the transaction without the use of money at all. As thus, in the year 1846, the United States exported $109,583,244 worth of goods and produce to other countries. For this no money was paid, but individual bills followed each separate shipment, requiring on the face payment of money. Instead of money being paid, however, the demands of the bill were satisfied by the delivery of goods, which, to the amount of $117,934,065 invoice valuation, were imported into the country. It is true, that $3,905,268 of the precious metals were exported, and $3,777,732 were imported, nearly balancing each other; but the main international business was transacted without money at all. That is to say, $227,517,309 of commodities were interchanged by means of individual bills, each of which was created by the possession of a specified quantity of an article, and cancelled by the delivery of another in exchange. This is true to a much greater extent in the case of the internal trade of the country, because the magnitude of exchanges of the products of industry, turning on individual bills, far exceeds that of the external trade. Not only are all exports, amounting, as in 1846, to $109,583,244, the basis of individual bills, but all the produce consumed on the Atlantic border, sent down from the interior, are also the basis of individual bills. Thus the deliveries of raw produce from the Erie Canal, in 1847, amounted to $73,092,414, and from the Mississippi, at New-Or-

* 1st. Vindication of the Free Banking System; Investigation of the principles which ought to be the basis of Paper Money. By L. Bonnefoux, proprietor of the New-York State Stock Security Bank. 2d. Safety Fund Bank Law, State of New-York, passed 1829. 3d. Free Banking Law, State of New-York, passed April, 1838. 4th. Act to regulate Safety Fund Bank issues, passed April, 1848. 5th. Act passed April, 1848, to amend Free Banking Law of 1838. 6th. Draft of a new system of Banking, with a full explanation of its principles. By a Practical Banker. 7th. General Banking Law of Ohio, passed 1845.

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leans, $90,033,256, making at these two points alone, $163,125,670, all of which was followed by internal bills, drawn from the shippers, payable in the cities, and cancelled by the purchase of goods, foreign and domestic, in those cities to carry back to the country. Money enters very little, if at all, into these transactions. As thus the producer of cotton, on the banks of the Mississippi, as an instance, sends his cotton to his factor at New-Orleans, who furnishes the supplies for the plantation, and the goods sent up will generally balance the cotton sent down. The goods are paid for by a check against a bank credit, and this credit is obtained by the sale of the cotton to the shipper, who, in sending it forward, draws against it a bill which will probably be sold in New-York; and the proceeds of the bill will be drawn against from New-Orleans at 60 days. This bill, inland, may be sold for the bank credit, transferred by check from the cotton shipper to the factor. On its maturity in New-York it becomes a bank credit, to be transferred to a seller of goods by his country debtor, who purchased it probably from some bank in the valley of the Mississippi, that had procured it from New-Orleans. This credit is again transferred to the importer of goods, by whom it is made over to the seller of the sterling bill which he requires to remit to England in discharge of his debts for goods. In all this matter, not a dollar of specie or corporate promises is required. The individual bills perform the whole. All western produce follows a similar process; and it is probable that one thousand millions of merchandize are bought and sold in a year, exclusively through the medium of private bills, while the bank circulation for the Union is not $100,000,000. The proportion which this description of paper bears to the money transaction, may be gathered from a return made by Mr. Leatham, an English banker, who discovered from the stamps issued by the stamp office, that there was circulated in one year £528,493,842 of private bills of exchange—near 2,500 millions of dollars; or that the amount outstanding at one time was £132,123,460, while the gross bank circulation of paper money was £27,272,000 or 20 per cent. only. This represents the enormous disproportion of paper money to the actual money of a country. The business currency of England is thus composed of three classes of money, viz: £132,123,460 of private bills, £30,000,000 of gold, and £27,272,000 of bank promises. Now, in all discussions upon currency, and all action of the government in regulating and restraining, reference is had only to the last mentioned and least important class. To the operation and influence of that class of currency has been ascribed all the fluctuations of commerce, most of the speculations that have preceded revulsions, and the disorders that have interrupted the regular course of industry. This, to a great extent, is true. Many, if not most of the financial evils that arise, grow out of that comparatively unimportant, as far as amount goes, part of the currency of the first commercial country in the world. And the reason is obvious;—it represents only credit, while every individual bill in circulation represents some specified commodity, every movement of which cancels the bill, and may at the same time give rise to a new one. This requires no regulation, and carries with itself the safeguard against disaster. The gold represents nothing; it is itself the article sought in exchange for all other commodities, and therefore not susceptible of discredit. On the other hand, bank promises originate in nothing. They promise to pay gold, but they are based upon no commodity, the delivery of which will consummate and cancel the obligation expressed on the face of the paper. The promisor has not the thing he promises, and his operation is based upon the hope that fulfilment of the obligation will not be required, and that if required, he will be able to procure the means of meeting it. This hope proves

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fallacious always at the moment of necessity. It is obvious, on mature reflection, that neither the precious metals nor paper constitute the money of a country. They form a very small part of it. The real money consists of all exchangeable products of industry, and the individual bills based on them. Money is, therefore, abundant or otherwise, not in proportion to the quantity of gold and silver that may be on hand, but in proportion to the quantity of produce on one hand, and of goods on the other, which may be interchanged. When either of these is deficient, money is scarce, although the precious metals may be as abundant as ever. As, for instance, last year the British crops were short, and £33,000,000 worth of grain was imported. This was followed by a revulsion unprecedented in commerce; and it was ascribed to the fact, that of £16,000,000 specie held by the bank in 1846, £8,000,000 was exported, and the institution held but £8,000,000 at the moment of extreme pressure. It is self-evident that this extreme pressure was not the result of parting with £8,000,000 of the precious metals, because the bank still held a larger sum than formerly, when money was very abundant. The pressure arose from the fact, that at least £50,000,000 worth of commodities, that usually form the basis of individual bills, had been lost. It was the annihilation of £50,000,000 of commodities, other than the removal of £8,000,000 of gold from vaults where it had lain idle for two years, that produced the disasters.

In the United States, paper as a circulating medium has been used from the earliest times—originally in the pernicious form of issues by the colonial government, not redeemable in specie, but receivable for government dues. These were known to the constitution as "bills of credit." They were supposed to be necessary as a circulating medium, because it was thought that for the colonies to import sufficient of the precious metals with which to form a currency, would be beyond their means. The constitution of the United States prohibited the renewal of this description of issues by the states. The states, in their own right as sovereignties, however, had in every case exercised the power of granting to corporations the power of issuing paper promises to circulate as money, subject only to the condition, that whenever demanded, it should be redeemed in coin. This paper money is designed only for, and used mostly by, the retail trade of the country. It is the means by which produce is collected by dealers into quantities for shipment, and by which consumers purchase of the retailers the quantities of each commodity required for daily consumption. In all the wholesale business of the country, it, as we have seen, takes no part. That turns altogether upon the private bills of dealers, payable at a fixed day. It has always been alleged that there is a necessity for paper money, because there is not sufficient gold and silver to transact the business. This idea is by no means accurate as is evident in the fact, that as paper money has become substituted, the precious metals have fallen in value; and to such an extent, that very many mines in Mexico, that were formerly worked to advantage, are now abandoned as no longer profitable. It has been the comparative disuse of the precious metals, that has made them less abundant. Of late years, however, the abundance of the Russian mines is such as to threaten a still farther serious fall in the relative value of gold to other products, and may still farther affect the productions of Mexico.

In the year 1844, according to the official statements, prepared by order of the Secretary of the Treasury, all the banks of the United States issued $75,167,646. They had on hand $9,122,000 of notes, making a net

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circulation outstanding of $66,045,646, and they held $49,898,269 of specie; the difference, $16,147,377, expressing the actual amount by which their operations increased the money of the country. Since then, there has been a net importation of $22,213,550, and the coinage of the mints has been over forty millions. Taking this latter as the amount by which the money of the country has been increased, there would now have been in the country $23,000,000 more money than in 1844, had the banks entirely withdrawn their paper and disbursed the coin they held. In this case, it is to be observed, that the demand for coin, as a currency, would not only have promoted its import, but have checked its re-export. These figures refute conclusively the idea of deficiency of precious metals for business purposes, since, if $66,045,646 of paper sufficed for the wants of trade in 1844, when it was alleged the home trade was very active under the tariff of 1842, $89,898,269 of gold and silver would suffice for that of 1848.

Inasmuch, however, as that the furnishing of corporate paper promises to circulate as money has ever been persisted in, it has ever been found that on the occasion of every pressure, the promissors failed, and the public were large losers by the outstanding promises. It was, of course, always necessarily the case that the loss fell upon poor persons, because, as the money is used only in retail trade, those only are holders, who obtain it for labor or goods, to make small purchases. To guard against this evil became imperative, and in 1829, in the state of New-York, a law called the Safety Fund Act was passed. The leading features of this law were a requirement that no bank should issue more than twice its capital in bank notes, and that such bank should subscribe, annually, a sum equal to half per cent. of its capital, and these payments should, together, constitute a fund, out of which should be redeemed the notes of any bank which might fail. The immediate effect of this law was to promote confidence in the notes, and therefore to enable the banks greatly to extend their circulation. It is not necessary to follow the fortunes of the banks under this law; suffice it to state, that the circulation increased until general suspension resulted in 1837, by which all the bank charters were forfeited. The legislature saw proper, however, to legalize the suspension, on condition that the circulation should thereafter be restricted to amounts proportioned to capital, and less than the extent allowed by the safety fund act. As the limits of the safety fund act had never been reached by the actual issues, the wisdom of reducing the limit was not manifest. All the banks resumed in 1838, and so continued, until in 1841–2, ten of them failed, throwing upon the safety fund a charge of $2,577,926 67. This was a sum far above the means of the fund, which was not only entirely exhausted, but all the contributions of the remaining 83 banks, up to the expiration of their charters, will be insufficient by $44,573 to discharge the demands of bill-holders for the banks already broken; hence, if any more fail, there is nothing from which to discharge their claims. The entire operation of the fund, from its commencement, to September, 1847, was as follows:

NEW-YORK BANK SAFETY FUND.

Receipts.		Expenditures.	
Bank contributions	$1,783.947 76	Bills of 10 banks	$2,577,926 67
For use of capital	41,669 78	Discount and interest, &c.	130.410 74
Stock issues on cr. of the fund	923,467 87	Money on hand	40,768 00
	$2.749,085 41		$2,749,085 41

There now remain 79 banks and two branches; consequently their circulation, which in November reached $16,926,918, out of a total of $26,237,256, is utterly without any security.

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The aggregate contributions of the safety fund banks, until the expiration of all the charters, will be in each year as follows:

NEW-YORK SAFETY FUND—ANNUAL CONTRIBUTIONS.

1848, January 1		$70,616 71	1858, January 1		$43,028 30
1849	"	137,807 30	1859	"	47,028 30
1850	"	134,057 30	1860	"	45,528 30
1851	"	127,557 30	1861	"	43,778 30
1852	"	125,009 30	1862	"	43,278 30
1853	"	120,909 20	1863	"	36,500 00
1854	"	89,028 30	1864	"	26,750 00
1855	"	77,778 30	1865	"	20,750 00
1856	"	63,428 30	1866	"	19,750 00
1857	"	60,328 30			
Total					$1,337,011 91

In answer to a call of the New-York Senate, the comptroller states, that the present debt of the safety fund to the state, for state stock issued in its behalf, or to be issued for bank losses already incurred, is $989,352 47, payable at different dates, as far forward as 1866, when the last safety fund charter will expire. In the meantime, $441,949 41, interest, will accrue on said stock over and above what may be realized for interest on deposits to the credit of the bank fund—making the total amount to be paid by the fund $1,441,302 83. The whole estimated means of payment, including $1,337,911 91, to be received by way of contributions from the safety fund banks prior to 1866, inclusive, is $1,386,728 68—making the estimated deficiency for the whole period, $44,573 20.

In 1838, it had already become manifest that some further provision was indispensable for the security of bill-holders, and a general banking law was devised, by which any person or persons might issue notes as money, on depositing property with the comptroller, to an amount equal to that of the notes wished to be circulated, and which notes were to be issued by the comptroller. At the same time the principle of not chartering or renewing the charters of any more banks was declared. This principle of making the notes issued a representation of actual property and not credit only, is sound. It is analogous to the nature of the individual bills, by which we have shown all wholesale and international business is conducted. This principle is fully elucidated in the work of Mr. Bonnefoux, the title of which we have quoted at the head of this article. The laying down of this principle by the legislature as the basis of future banking privileges, excited the cupidity of two powerful classes; one of them, the chartered bankers, saw in it the subversion of the special privileges they had hitherto enjoyed, and they determined upon its overthrow; as, however the current of public opinion ran too strong for direct attack, they apparently fell in with the view, hoping to overthrow it by smuggling through the legislature, from year to year, amendments subversive of the principle of the original law, and this they have perseveringly done. No less than ten amendments have been passed, the effect of which has been gradually to restrict the operations of the free banks, and thus to operate for the general benefit of the public. The principle of neither granting nor renewing any more bank charters being incorporated in the new constitution of the state, all the present charters will expire before the constitution is again changed, consequently the whole business of banking, as far as the issuing of notes goes, must be conducted upon the principles of the general law, made more stringent by reason of the efforts of the chartered bank interest to oppress rivals. Since the enactment of the law of 1838, there have been two descriptions of money—the one safety fund, with no security whatever, and the other fully secured by deposits of property.

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The progress of the state circulation has been as seen in the following table:

FREE AND CHARTERED CIRCULATION OF THE STATE OF NEW-YORK.

	Safety Fund.	Free.	Total circulation.
1837	24,198,000	none	24,198,000
1838	12,432,478	node	12,432,478
1839	19,373,149	2,500,000	21,873,149
1840	10,360,592	6,012,000	16,372,592
1841	15,235,056	5,253,067	20,588,123
1842	12,372,764	3,642,437	16,185,201
1843	8,336,266	3,695,603	12,031,671
[Nov., 1844	15,755,955	4,396,264	20,152,219
" 1845	15,831,058	5,544,311	21,375,369
" 1846	16,033,125	6,235,397	22,268,522
" 1847	16,926,918	9,310,338	26,237,256
March, 1848	14,391,504	8,656,522	23,047,826

The free banks have increased $5,000,000 since 1844, and the chartered but $1,000,000—a fact, which has excited unusual activity on the part of the monopoly bankers. It is evident that the circulation is passing into the hands of the free bankers, and their circulation, based upon property, will become the only substitute for the precious metals in the retail channels of circulation. Before investigating the operation of these principles, we will sketch the position of the safety fund banks. We have seen, as above, that the chartered circulation is $16,926,918. This amount is issued by 79 banks and 2 branches, the aggregate capital of which is $27,941,460. The charter, which first expires, is that of the Merchants' Exchange Bank, in 1849, and the longest charter expires in 1866, except that of the New-York Dry Dock Company, which claims to be perpetual. The Manhattan Bank has also a perpetual charter, by virtue of which, it claims to be exempt from the regulations of the legislature imposed upon all other banks. These banks have had their circulation governed by three laws, that of 1829, in accordance with most of the charters, fixing the amount they may issue at double the amount of capital. The law of 1837 restrained the issues in the following proportions:

Capital of.	May circulate.	Capital of.	May circulate.	Capital of	May circulate.
100 000	150,000	250,000	225.000	600,000	450,000
120.000	160.000	300.000	250.000	700,000	500,000
150,000	175.000	4.00,000	300.000	1,000,000	800.000
200,000	200,000	500,000	350,000	1,490,000	1,000,000
				2,000,000	1,200,000

This law reduced the aggregate issues allowed from $35,882,926 to $22,790,000, but it affected only country banks with small capitals; because the city banks and large country institutions can never get out even the lower amount authorized. In the last two or three years, a considerable extension of banking business has been effected, and the chartered bank interest have sought to produce an alteration of the law of 1837, in order that they may increase their issues. To this effect they alleged that the law of 1837, restricting the issues, was enacted without the constitutional majority. As, however, they depend on that law alone to exonerate them from the penalty of charter forfeiture, for the suspension of that year, they have not pressed the matter. At the last session of the legislature, however, they procured the passage of a law repealing the restriction of the act of the law of 1827, in respect of banks whose capitals exceed $200,000. The new law allows these institutions to increase their issues to the extent of their capitals; and the chartered circulation, therefore, is authorised by

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charters at $35,882,920; by act of 1837, at $22,790,000. By new law, $28,145,800, or double the actual circulation, which is $14,330,561.*

* CHARTERED BANKS OF NEW-YORK, SHOWING THE CAPITAL AND AMOUNT OF ISSUES AUTHORIZED BY THE ACTS OF MAY, 1837, AND APRIL, 1848, WITH THE DATE OF THE EXPIRATION OF THE CHARTER.

Names of Banks.	Capital.	Circulation by act of 1837.	By new law.	Actual in March 4, 1848.	Charter ex. in.
Albany City	$500,000	350,000	500,000	282,351	1864
Atlantic	500,000	350,000	500,000	183,631	1866
Albany	240,000	200,000	240,000	135,552	1855
America	2,001,200	1,200,000	2,001,200	183,919	1853
Auburn	200,000	200,000	200,000	178,420	1850
Chenango	120,000	160,000	160,000	131,380	1856
Genesee	100,000	150,000	150,000	116,523	1852
Geneva	400,000	300,000	400,000	259,834	1853
Ithaca	200,000	200,000	200,000	188,185	1850
Lansingburgh	120,000	160,000	160,000	159,323	1855
Monroe	300,000	250,000	300,000	181,637	1850
Newburgh	140,000	160,000	160,000	152,385	1851
New-York	1,000,000	800,000	1,000,000	411,860	1853
Orange County	105,650	150,000	150,000	144,387	1862
Orleans	200,000	200,000	200,000	136,001	1864
Owego	200,000	200,000	200,000	183,267	1866
Poughkeepsie	100,000	150,000	150,000	142,817	1858
Rome	100,000	150,000	150,000	143,406	1862
Salina	150,000	175,000	175,000	142,966	1862
State of New-York	2,000,000	1,200,000	2,000,000	323,866	1866
Troy	440,000	300,000	440,000	188,684	1853
Utica	600,000	475,000	600,000	382,789	1850
Whitehall	100,000	150,000	150,000	105,134	1859
Brooklyn	150,000	175,000	175,000	50,688	1860
Broome County	100,000	150,000	150,000	144,835	1855
Butchers' & Drovers'	500,000	350,000	500,000	286,407	1853
Canal	300,000	250,000	300,000	159,356	1854
Catskill	150,000	175,000	175,000	137,264	1853
Cayuga Co.	250,000	225,000	250,000	222,621	1863
Central	120,000	160,000	160,000	149,294	1855
Chautauque Co.	100,000	150,000	150,000	109,957	1860
Chemung Canal	200,000	200,000	200,000	192,544	1862
City	720,000	500,000	720,000	149,226	1852
Essex Co	100,000	150,000	150,000	119,584	1862
Farmers'	278,000	225,000	278,000	202,515	8153
Farmers' & Manufacturers	300,000	250,000	300,000	224,811	1864
Greenwich	200,000	200,000	200,000	140,175	1865
Herkimer Co.	200,000	200,000	200,000	193,053	1863
Highland	200,000	200,000	200,000	154,412	1854
Hudson River	150,000	175,000	175,000	141,514	1855
Jefferson County	200,000	200,000	200,000	161,921	1854
Kingston	200,000	200,000	200,000	173,525	1866
Leather Manufacturers'	600,000	450,000	600,000	194,362	1862
Lewis County	100,000	150,000	150,000	103,003	1863
Livingston Co	100,000	150,000	150,000	119,895	1855
Madison Co	100,000	150,000	150,000	143,484	1858
Mechanics'	1,440,000	800,000	1,440,000	439,195	1855
Mechanics' & Farmers'	442,000	300,000	442,000	244,924	1853
Mechanics' & Traders'	200,000	200,000	200,000	124,846	1857
Merchants'	1,490,000	1,000,000	1,490,000	259,948	1857
Merchants' Exchange	750,000	500,000	750,000	231,738	1849
Merchants' & Mechanics'	300,000	250,000	300,000	151,511	1854
Mohawk	165,000	175,000	175,000	110,486	1853
Montgomery Co	100,000	150,000	150,000	141,244	1857
National	750,000	500,000	750,000	142,394	1857
New-York Dry Dock Co.	200,000	200,000	200,000	56,688	——
New-York State	369,600	250,000	369,000	249,990	1851
Ogdensburg	100,000	150,000	150,000	125,085	1859
Oneida	400,000	300,000	150,000	248,269	1866
Onondaga Co	150,000	175,000	400,000	159,344	1854
Ontario	200,000	200,000	150,000	158,216	1856
Ontario Branch	300,000	250,000	300,000	194,885	——
Otsego Co	100,000	150,000	150,000	146,330	1854
Phenix Bank	1,200,000	800,000	1,200,000	351,036	1854
Rochester City	400,000	300,000	400,000	222,395	1866
Sackett's Harbor	200,000	200,000	200,000	120,366	1865
Saratoga Co	100,000	150,000	150,000	134,418	1857
Schenectady	150,000	175,000	175,000	159,525	1862

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In respect of this law of April, 1848, the chartered banks may be divided into three classes, viz: those in the city, having all large capitals, but which can never circulate but a small proportion of bills, for the reason that the country banks, being allowed to circulate their bills at a discount in the city, always usurp the channels of circulation; 2d, the country banks, of capitals of $200,000 and less; and 3d, those of capitals over $200,000. It is this latter class only that are affected by the new law, which was passed seemingly for their especial benefit and exclusive profit and enjoyment. The capitals and circulations of these three classes of banks, at the report of Nov., 1847, was as follows:

	Capital.	Circulation.	do. per cent. of capital.
City chartered	$16,998,200	5,650,360	33
Country and under $200,000	6,263,660	6,413,411	103
" over "	6,679,600	4,863,147	74
Total chartered banks	$29,941,460	16,926,918	

This inequality of circulation is the result of legislation. The permission to allow country banks to redeem their notes in the city at a discount, as we have said, usurps the place of the city notes at the expense of the people.

The banks with capitals over $200,000 keep their limits full, as seen in the following table of their affairs:

BANKS WHOSE CAPITALS EXCEED $200,000, SHOWING THE ACTUAL CIRCULATION, AND AS AUTHORIZED BY DIFFERENT LAWS:

	Circulation by act of 1837.	Amount of issues, new law.	Actual circulation, Nov'r., 1847.
Albany City	350,000	500,000	342,444
Atlantic	350,000	500,000	249,004
Albany	200 000	240,000	157,847
Geneva	300,000	400,000	297,624
Monroe	250,000	300,000	247,960
Troy	300,000	400,000	280,609
Utica	300,000	450,000	296,929
Canal	250,000	200,000	238,685
Cayuga	225,000	250,000	224,260
Farmers'	225,000	278,000	209,328
Farmers & Manufacturers'	250,000	300,000	246 405
Mechanics' & Farmers'	300,000	442,000	287,962
Merchants' & Mechanics'	250,000	300,000	231,464
New-York State	250,000	369,600	247,694
Oneida	300,000	400,000	293,454
Ontario Bank	250,000	300,000	249,495
Rochester City	300,000	400,000	299,254
Tompkins Co	225,000	250,000	222,337
Troy City	250,000	300,000	239,292
Total	$5,125,000	$6,679,600	$4,863,147
Increase allowed by the new law	$1,554,600		

	Capital.	Circulation by act of 1837.	By new law.	Actual in March 4, 1848.	Charter ex. in.
Seneca Co	200,000	200,000	200,000	183,123	1863
Seventh Ward	500,000	350,000	500,000	229,560	1863
Steuben Co	150,000	175,000	175,000	166,470	1862
Tanners'	100,000	150,000	150,000	134,776	1860
Tompkins Co	250,000	225,000	250,000	211,665	1866
Tradesmen's	400,000	300,000	400,000	207,669	1855
Troy City	300,000	250,000	300,000	202,813	1863
Ulster Co	100,000	150,000	150,000	112,066	1861
Union Bank	1,000,000	800,000	1,000,000	374,463	1853
Westchester Co	200,000	200,000	200,000	147,710	1863
Yates Co	100,000	150,000	150,000	99,871	1859
	$27,941,460	$22,790,000	$28,145,800	$14,230,561	
Manhattan				$60,743	

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The circulation of these banks in the table, under the three laws, would be, by act of 1829, $13,000,000; by act of 1837, $5,125,000, and by new law, $6,679,600. These banks can keep out in "fair weather" more than the allowance by the law of 1837, which was designed to prevent so great an expansion as would lead to revulsion. The new law removes the restriction, and permits an increase of 25 per cent.

The Constitution, however, makes it the duty of the legislature to require "ample security" for the redemption of these notes, and the legislature *performs* this duty in the following clause:—

"It shall be the *duty of the Comptroller* to require, in addition to the contribution now made to the safety fund, of all banks asking for or receiving any bills or notes under and by the provision of this act, beyond what they are authorised to issue by the act of 1837, ample security, in accordance with article 8, sect. 6, of the Constitution of the State."

The responsibility is thus turned over to the Comptroller; and the question turns upon what is "ample security." In a circular under date of May 2d, that officer acknowledges the vagueness of the requirement, but very properly says that the Legislature specified what was meant by "ample security" in its requirements of the free banks. He therefore requires that when a chartered bank wishes an increase under the law, it shall deposite with him the same securities as are required by the new law in relation to free banks, viz: an equal amount of New-York 6 per cent. stocks, or one-half 7 per cent. mortgages on unincumbered real estate of not more than two-fifths of its value, exclusive of buildings. This is very just and proper; and in order to distinguish which bills of the bank are to be redeemed by these stocks, he requires that a particular plate shall be prepared for the new bills. Each bank will then have two descriptions of issues, one secured and the other not, as thus: the Rochester City Bank, as an instance, is, by the law of 1837, allowed to issue $300,000, and it has that amount out; the new law allows an increase to $400,000; should it issue these, it must buy stocks and pledge with the Comptroller; it will then get $100,000 of a new plate, and when it fails, $300,000 of old issues will probably not be paid at all, and the new issues will alone depend upon the securities. But another difficulty arises; the safety fund charters contain the following clause:

"The said corporation shall not, directly or indirectly, *deal* or trade, in buying or selling any goods, wares, merchandise or commodities whatsoever, or in *buying or selling any stock created under* any act of the United States, or any particular state, unless in selling the same, when truly pledged by way of security, for debts due to said corporation."

It is a difficult matter for a bank to "buy stock" to pledge with the Comptroller for issues, without infringing this charter clause. The Comptroller thinks there will be no difficulty, inasmuch as that he supposes it never could have been the intention to prevent them from buying stock to secure their issues, and that if it did, the law of 1848 must be supposed to have modified the charter in that respect. This reasoning is very loose. When the charters were granted, no idea of securing issues with stocks was ever broached; consequently no "intention" could have had any relation to it. The law of 1848 does not specify any securities. The Comptroller very justly, we think, infers a description of security from another law, but that inference does not nullify a charter enactment. The just conclusion is, that the law of 1848 is a nullity; it is utterly inoperative. The Constitution forbids further issues without "ample security." Acts of the legislature fully establish what ample security is, and the charters of the

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banks restrain them from giving that security; hence the new law is a dead letter, a bungling abortion of knavish speculators and stupid lawyers.

It has thus become, in a manner, a fixed principle in New-York legislation, that paper money must represent actual property, dollar for dollar. Behind each paper dollar issued must exist such sound property as will, beyond doubt, realize the specie to fulfil the promise on the face of a note the moment the banker fails to do so. This principle will ultimately be adopted in all the states, as has been the case in New-York. However, a severe contest will be carried on by the chartered banks to deceive the people and pervert the laws. It is, therefore, of the greatest importance that the matter should be fully and generally understood. Mr. Bonnefoux has given much attention to the subject, and his vindication of the system is based upon a thorough understanding of the law, carried practically into operation in his own bank; and he fully exposes the evils which flow from a departure from the principle on which the law can alone be based with safety. He shows very conclusively, that the whole law, numbering 33 sections, embraces two systems: one of which, based on sound principles, is embraced in the first 14 sections of the act. The basis of this system is contained in the 2d and 3d sections, which we transcribe in full.

"SEC. 2. Whenever any person, or association of persons, formed for the purpose of banking, under the provisions of this act, shall lawfully transfer to the Comptroller any portion of the public stock, issued or to be issued, by THIS STATE, such person, or association of persons, shall be entitled to receive from the Comptroller an equal amount of such circulating notes of different denominations, registered and countersigned."

"SEC. 3. Such person, or association of persons, are hereby authorised, after having executed and signed such circulating notes in the manner required by law, to make them obligatory promissory notes, payable on demand, *at the place of business*, within this state, of such person or association, to *loan* and *circulate the same as money*, &c."

The 7th section provided, that instead of making the whole deposite in stocks, one-half might be in 6 per cent. mortgages upon productive real estate, worth double the amount of the mortgage. The banker was to receive the interest upon these securities as long as his bills were in good credit, and fully covered by the securities. When the securities diminished in value the interest was to be retained by the Comptroller, or the banker required to surrender a part of his bills, or to deposite more stock. This was a sound principle.

We have said that two powerful classes were excited by this law project; one, the chartered banks, we have already spoken of; the other was composed of the speculators. It is known that land speculations had run to an extraordinary extent in the few years preceding the revulsion of 1837, and that vast quantities of real estate and worthless mortgages were sold at high prices by persons who sought some means of realising. This banking law was fastened upon as that means, and the door thrown open to ceaseless frauds by giving greater latitude to the provision. The 15th section of the law provided as follows:

"SEC. 15. Any number of persons may associate to establish offices of discount, deposite and circulation, upon the terms and conditions, and subject to the liabilities prescribed in this act; but the aggregate amount of the capital stock of such association shall not be less than $100,000.

The phraseology of the first section was, "person or association of persons," and those sections specified only the manner in which the notes were to be secured; to be payable at the place of business, and

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"*loaned*" as money. Commencing with the 15th section, the phraseology is "company," "association," and "persons." The liberty to form capitals applied to associations only, and not to the individual banker. By this means the most absurd speculations were engendered. Holders of sham mortgages associated, valued each others property, deposited certificates, and became a "bank." On the credit of being thus an established bank, they were enabled to purchase the stocks of the western states—these being pressed upon the market. These stocks were deposited with the Comptroller, and the bills he issued upon them were often the only real money of the concern.

As as indication of the mania, which resulted from these provisions, we give the names, capital, duration of charter of banks proposed for the city of New-York only, with the aggregate for the state, under that law:

BANKS ORIGINALLY PROJECTED UNDER NEW LAW.

Names.	Capital.	Duration of Ch'r. Years.	Stockholders.
Bank of West New-York	$500,000	100	E. B. Strong, et. als.
*North American Trust & Bank	50,000,000	463	J. D. Beers.
*Bank of the United States	50,000,000	62	G. Griswold and R. Aslop.
*Mechanics' Banking Association	10,000,000	99	T. R. Mercein.
*American Exchange Bank	50,000,000	100	N. Weed, et. als.
Stuyvesant Banking Company	2,000,000	199	Peter Palmer.
*New-York Banking Company	20,000,000	100	John Delafield.
East River Bank	25,000,000	152	S. D. Dakin.
*Chelsea Bank	10,000,000	150	Gouverneur Morris.
*10th Ward Bank	10,000,000	462	A. H. Prescott.
*Wool Growers'	2,000,000	100	J. A. Parker.
Hudson River	20,000,000	150	L. Leonard.
Bank of the City of New-York	50,000,000	500	J. C. Morrison.
*U. S. Trust and Banking Co	50,000,000	500	Amos Palmer.
North Bank	10,000,000	462	C. S. Dunning.
Bank of North America	50,000,000	200	W. Irvins.
Total city	409 000,000		
Country	78,180,000		
Total certificates filed	$487,680,000		

Those marked thus * went into operation.

It is evident from this list that "small ideas" were not prevalent in the community on the subject of banking at that time, and that experienced bankers and old merchants were those who headed the delusion. The practical part was, however, for holders of real estate unavailable from the bursting of the great speculations of recent years, to turn that property into bank shares, and thence into money. This was the basis of the movement. Of all the above banks, the Mechanics' Association and the American Exchange Bank alone remain. The proceedings of the remainder were as ridiculous as their pretensions were preposterous.

This working of the law induced, in 1840, an amendment, making New-York stock equal to 5 per cent., alone receivable as securities, and bonds and mortgages for an amount not exceeding one half of the whole amount of securities, and to an extent not greater than one half the value of the land. This, by a new law passed April, 1848, has again been restricted, and the stocks must now be equal to a New-York 6 per cent. stock, not to be taken over par, or at more than the market value, and the bonds and mortgages in amounts not greater than $5,000 each, bearing 7 per cent. interest, and to an extent not greater than two-fifths the value of the unincumbered land, exclusive of buildings. This regulation

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doubtless increases the security of the bill-holder, while it at the same time restrains the movements of the bankers. These restraints could not, however, have passed, were it not for the desire of the chartered banking interest to oppress the new system; but, by a happy retribution, they have in some degree fallen into the pit themselves, inasmuch as the comptroller has, as above described, ruled that under existing laws, if the chartered banks wish to extend their circulation, they must comply with the same terms of security for bills.

In the working of the free banking law thus far, it would appear that 139 banks have been started under it. Of these, 88 are in operation; 21 have been closed by their proprietors, without loss to the bill-holders, and 30 have been closed by the Comptroller. Of these, 25 have been settled at 76 per cent. average.

It appears that the radical errors that have been discovered in the working of the law, are, 1st, that the securities were not restricted to the stocks of this state, or the United States; 2d, that a sufficient margin was not allowed for a time of pressure, when alone the securities would require to be sold. Instead of giving dollar for dollar, no more than $90 of bills ought to be delivered for $100 of stock. 3d. In taking mortgages, power ought to be by law conferred upon the officer to foreclose and sell on the spot, with recourse to chancery. 4th. Mortgages should be in small sums, readily brought within the means of capitalists; and 5th, the redemption should be rigidly enforced at the actual place of business.

MY STUDY.

This is my world—my angel-guarded shrine,
Which I have made to suit my heart's great need,
When sorrow dooms it overmuch to bleed;
Or when aweary and athirst I pine,
For genial showers, and sustenance divine;
When soft illusive Hopes my heart deceive,
And I would sit me down alone to grieve—
My mind to sad or studious mood resign.
Here oft upon the stream of thought I lie,
Floating whichever way the billows bear me—
Sometimes along the banks of Childhood fairy,
Where all is bud, and bloom, and melody;
Or wafted by some stronger current, glide,
Where darker frown the steeps, and deeper flows the tide.

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EMILIA GALOTTI;

A TRAGEEY, IN FIVE ACTS.

TRANSLATED FROM THE GERMAN OF GOTTHOLD EPHRAIM LESSING.

In recent numbers, we gave to our readers a translation of the admirable Phædon of Moses Mendelssohn, and we proposed following it with translations from other celebrated German writers. Western Europe, more especially Germany, is daily drawing near to us in commercial, political and social affinities, and the taste, which of late years has rapidly gained strength for her literature, has not been gratified by popular republications of her eminent writers. In some degree, to meet this apparent want, we intend to give some of them. Lessing was probably one of the most learned of her philosophers. In connection with Sulzer, Mendelssohn, and Nicolai, he devoted himself to literary criticism. Their organ was the *Allgemeine Deutsche Bibliothek*, and attained a world-renowned reputation. Lessing was endowed with many and great capacities. His extraordinary zeal was generally unsupported by perseverance—but his exertions and acquisitions were immense He had a perpetual thirst for new discoveries, and for discovering new views of old subjects. He was a bold innovator and fearless writer, such an one as, born fifty years later, would have taken the lead in the disenthralment of Germany. His great work, *Dramaturgie*, produced a revolution in the Drama; and his chief tragedy of Emilia Galotti, a translation of which we present our readers, was written apparently to put into practice a theory which he had broached, that the true drama requires the heroic virtues to be domesticated. With this short notice of a most brilliant production we proceed with the translation.

PERSONS OF THE DRAMA.

EMILIA GALOTTI.
ODOARDO, & CLAUDIA, } GALOTTI, *Parents of Emilia.*
HETTORE GONZA, *Prince of Guastalla.*
MARINELLI, *the Prince's Chamberlain.*
CAMILLO ROTA, *One of the Prince's Counsellors.*
CONTI, *a Painter.*
COUNT APPIANI.
COUNTESS ORSINA.
ANGELO AND SEVERAL SERVANTS.

ACT I.

SCENE I. *Scene—a Cabinet of the* PRINCE. *The* PRINCE *at a writing-table, upon which lie letters and papers, some of which he glances over hastily.*

PRINCE. Complaints, nothing but complaints! Petitions, nothing but petitions!—Sad employment; and still men envy us!—This, I think, if we could relieve all, then were we indeed to be envied.—Emilia? (*While he opens one of the petitions and observes the name of the writer.*) Emilia? But Emilia Bruneschi—not Galotti. Not Emilia Galotti! What will she, this Emilia Bruneschi? [*He reads.*] Much, very much she demands. Still she is named Emilia. It is granted! [*Subscribes his name and rings, whereupon a valet-de-chambre enters.*] Are none of the council in the ante-room?

VALET. None.

PRINCE. I have risen early; the morning is so beautiful, I will ride out. Marquis Marinelli may accompany me. Let him be called. [*Exit Valet.*

I cannot attend to business any more at present. I was so happy, fancied myself, for a moment, so happy. All at once, must a poor Bruneschi be called Emilia;—gone is my joy, and all.

VALET. (*Entering.*) The marquis has been called away. And here is a letter from the Countess Orsina.

PRINCE. From Orsina? Lay it aside.

VALET. Her footman waits without.

PRINCE. I will send an answer, if one is needed. Where is she? In the city? or at her villa?

VALET. She came into the city yesterday.

PRINCE. So much the worse—the better, I would have said. So much less need that her footman wait. [*Exit Valet.*

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My dear countess, (*bitter, while he takes the letter in his hand.*) 'Tis just as well as if I read it. (*Throws it aside.*) Yet I have believed that I loved her! What will not man believe? It may be that I have really loved her. But I have—

VALET. (*Who has returned.*) The painter Conti requests the favor—

PRINCE. Conti? Very well, let him come in. This will bring other thoughts into my mind. [*Rises from the table.*

SCENE II.—CONTI. THE PRINCE.

PRINCE. Good morning, Conti. How are you? How is it with your art?

CONTI. Prince, the art labors for bread.

PRINCE. This must not be; this shall not be—in my little dominions—certainly not. But the artist must be willing to labor.

CONTI. To labor? This is his delight. Only by much labor can he procure the name of artist.

PRINCE. I mean not many, but much; a little, but with care.—You come not empty-handed, Conti?

CONTI. I bring the portrait which your highness ordered; and also another, which you did not order, but which well deserves to be seen.

PRINCE. Whose is the first? I do not now recollect.

CONTI. The Countess Orsina's.

PRINCE. True! Only the work has been rather slow in its completion.

CONTI. Our beautiful women are not to be painted every day. The countess has been prevailed upon to sit but once, during three months.

PRINCE. Where are the pictures?

CONTI. In the ante-room; I will bring them.

SCENE III.—THE PRINCE.

PRINCE. Her image!—Possibly!—Still, her image is not herself.—Perhaps I shall find again in the portrait what I can no longer discover in the person.—But I will not find it there. The troublesome painter!—I doubt not she has bribed him.—If it were so! If another image of herself, which has been painted with other colors, upon another ground, shall again find place in my heart,—truly, I think I should be content. For when I loved, I was ever so light, so joyous, so free,—now am I the reverse of all this. Still—no, no, happier, or not happier—I am better as I am.

SCENE IV.—THE PRINCE, CONTI, *with the Pictures, one of which he places in an inverted position against a chair.*

CONTI (*while he places the other aright.*) I hope, Prince, that you will consider the limits of our art. Many of the most attractive charms of beauty lie wholly beyond these limits.—Behold it!

PRINCE. (*After a short examination.*) Excellent, Conti, quite;—quite excellent!—This does honor to your art, to your pencil.—But it is flattered, Conti; very, very much flattered!

CONTI. The original appeared not to be of this opinion. In truth, it is as little flattered as possible. The painter must imitate Nature, who gives to us the remembered image, without the decay, which opposing matter unavoidably makes; without the havoc which the struggle with time produces.

PRINCE. The reflecting artist is, indeed, one of so much the greater worth.—But yet, the original, you say, found it—

CONTI. Pardon me, Prince, the original is a person who demands my respect. I would not say aught disadvantageous to her.

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PRINCE. Such a favorite with you! And what said the original?

CONTI. I am satisfied, said the Countess, if I am not ugly.

PRINCE. Not ugly? Oh, the true original!

CONTI. And she said this with such a manner, of which, indeed, this, her portrait, can give no idea—no conception.

PRINCE. This I apprehend; for it is in this that I find it so very flattering. Oh! I know it well—that proud, haughty look, which deprives the countenance of all beauty. I admit that a beautiful mouth is, not unfrequently, rendered still more beautiful, by a slight expression of scorn—but mark me, a slight expression; it must not approach a grimace, as does that of the Countess. And the eyes should keep watch over the voluptuous scorn of the countenance,—eyes exactly such as the Countess has not. Such as she has not even in her portrait.

CONTI. Gracious, sir! I am exceedingly perplexed!

PRINCE. And wherefore? All that art could make of those large, prominent, fixed, staring, Medusa-like eyes of the good Countess, this, Conti, have you honestly done. Honestly, did I say? not so very honestly, but it might have been more so. For, judge yourself, Conti, could the character of the person be inferred from this portrait? And yet, it should be. Pride you have transformed into dignity—scorn into a smile—a disposition to gloomy enthusiasm into gentle melancholy.

CONTI. (*Somewhat impatiently.*) Ah, my Prince, we painters expect that the finished picture will find the friend as warm as when he bespoke it. We paint with eyes of love, and eyes of love alone must criticise our work.

PRINCE. Well, Conti, why came you not a month sooner with that? set it aside. What is the other picture?

CONTI. (*While he brings it and holds it averted in his hand.*) Also a female portrait.

PRINCE. So might I almost wish not to see it; for it cannot equal the ideal here, (*with his finger upon his forehead,*) or rather here, (*laying his hand upon his heart.*) I could wish, Conti, to admire your skill in other objects.

CONTI. A more admirable skill might have been employed; but, surely, no more worthy object could have been found than this.

PRINCE. I wager, Conti, that it is the artist's own lady-love. (*In the meantime, the painter displays the picture.*) What do I see? Your work, Conti, or the work of my own imagination? Emilia Galotti!

CONTI. How, my Prince, know you this angel?

PRINCE. (*Endeavoring to recover himself, but without taking his eyes from the picture.*) Slightly, yet sufficiently to recognize her. It is but a week since I met her with her mother at a soiree. Still more recently she appeared to me again in a consecrated place, where it would not have been proper to gaze at her. I am acquainted with her father. He is not my friend. It was he who opposed most strenuously my claims upon Sabionetta. An old champion—proud and stern—but honorable and good.

CONTI. The father! but here we have the daughter!

PRINCE. Heavens! as if stolen from her mirror! (*His eyes still riveted upon the picture.*) Ah! you know well, Conti, that one cannot praise the artist more acceptably, than by forgetting him in his works.

CONTI. Nevertheless, this has left me much dissatisfied with myself. And yet, again, I am much rejoiced at this same dissatisfaction with myself. Ha! if we could paint directly with the eyes! It is such a distance from the eye, through the arm to the pencil, and thereby so much is lost!—But, as I say, since I know what is lost, why it is lost, and wherefore it must be

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lost, therefore I am as proud of this—nay prouder, than I am of that which I accomplish. For by the former, rather than by the latter, I perceive that I am a great painter, but that my hand is not always one. For, think you, Prince, that Raphael would not still have been the greatest of painters, if he had unhappily been born without hands? What think you, Prince?

PRINCE (*who now turns from the portrait.*) What said you, Conti? what would you know?

CONTI. Oh! nothing, nothing!—mere babble! Your soul, I perceive, was wholly in your eyes. I love such a soul, and such eyes.

PRINCE (*with assumed indifference.*) Thus, Conti, you do really rank Emilia Galotti among the most distinguished beauties of our city?

CONTI. Thus? Among? Among the most distinguished? and the most distinguished of our city? You jest, my Prince, or else, you have seen as little during all this time as you have heard.

PRINCE. Beloved Conti—(*his eyes again directed to the picture*)—how dare we trust our own eyes? Truly the painter is the only proper judge of beauty.

CONTI. And shall every sentiment await the decision of a painter?—The cloister for him, who would learn from us what is beautiful! But this must I say to you as a painter, my Prince, one of the greatest felicities of my life is, that Emilia Galotti has sat to me for her portrait. This head, this countenance, this brow, these eyes, these features, this neck, this bust, this entire form, have been, for the time, my only study of female beauty. The portrait itself for which she sat has been sent to her absent father. But this copy—

PRINCE, (*turning quickly towards him.*) Now, Conti, is not this already promised?

CONTI. It is for you, Prince, if you find pleasure in it.

PRINCE. Pleasure! (*smiling.*) This your study of female beauty, how can I do better than to make it also mine? That portrait, yonder, take with you again,—to order a frame for it.

CONTI. Well!

PRINCE. As splendid, as elegant, as it is in the power of the carver to make it. It shall be placed in my gallery.—But this shall remain here. With a study one makes not so much ceremony, will not allow it to be hung up, but would have it always near at hand. I thank you, Conti; very much I thank you. And, as I have already said, in my dominions, the artist shall not suffer for bread, until I have none myself. Apply to my treasurer, Conti, and bid him give you a remuneration for both portraits, as much as you will, Conti.

CONTI. I shall begin to fear, Prince, that you reward something else besides the art

PRINCE. Oh! you jealous artists! Still it is not so. Hear you, Conti, as much as you will. [*Exit Conti.*

SCENE V.—THE PRINCE.

As much as he will! (*Turning to the picture.*) For thee any price would be but trifling.—Ah! beautiful piece of art, is it true that thou art mine? But who shall gain possession of thee, thou still more beautiful master-piece of Nature? What wilt thou require for her, honest mother? What wouldst thou, surly old man? Only demand it! demand it!—At any price, would I purchase thee, enchantress, for thy own sake. These eyes full of charms and of modesty! This mouth! And if it opened to speak! if it smiled! This mouth! I hear some one coming.—Yet I am too jealous of thee! (*He turns the picture towards the wall.*) It may be Mari-

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nelli. Would that I had not summoned him! What a morning I might have had!

SCENE VI.—MARINELLI. THE PRINCE.

MARINELLI. Your Highness will pardon me. I was not expecting so early a summons.

PRINCE. I wished to take a ride; the morning was so fine. But it is nearly spent, and the wish has passed. *(After a short silence.)* What news have we, Marinelli?

MARINELLI. Nothing of importance, that I know of. The Countess Orsina came to the city yesterday.

PRINCE. Here lies already her good morning, *(pointing to her letter,)* or whatever else it may be. I am not at all curious in regard to it. Have you spoken with her?

MARINELLI. Am I not, unhappily, her confidant? But if ever I become such again to a lady with whom you chance to be in love in good earnest, then—

PRINCE. Do not take an oath, Marinelli.

MARINELLI. Ah! in truth, Prince! May it then be? Oh! that the Countess may have no injustice done her.

PRINCE. Great injustice, certainly. My approaching marriage with the Princess of Massa will compel me at once to break off all such connections.

MARINELLI. If it is only that, the Countess will know how to submit to her fate, as well as the Prince to his.

PRINCE. Which is much more cruel than hers. My heart becomes the victim of a wretched state-policy. She needs only to recall hers, but not to bestow it against her will.

MARINELLI. Recall? And wherefore recall? The Countess may inquire, if it is only a wife, whom not love, but merely policy, unites to the Prince? Near such a consort, the beloved one still finds her own place. Not for such a rival fears she that she shall be sacrificed; only for—

PRINCE. A new love. Would you then consider that a crime in me, Marinelli?

MARINELLI. I! O, my Prince, confound me not with that foolish woman, whose message I bring—for very pity, bring. For yesterday she affected me strangely. She would not speak at all of her connection with you. She wished to forget herself entirely, and to appear unmoved. But in the midst of the most indifferent conversation, one turn, one reference after another, would agitate her, betraying her tortured heart. With a most cheerful manner, she would say the most melancholy things, and again repeat the merriest jokes with a mournful countenance. She has taken refuge in books; and I fear these will complete the work.

PRINCE. So she has given her poor brain the first blow. But, Marinelli, would you make use of that which has more especially withdrawn me from her, to bring me back again? If she has become mad by love, would she not have become so, sooner or later, without it? And now, enough of her. Let us speak of something else. Is there nothing at all going on in the city?

MARINELLI. As good as nothing. For that the marriage of Count Appiani will take place to-day—is little better than nothing.

PRINCE. The Count Appiani? and to whom? I had not heard that he was betrothed.

MARINELLI. The whole affair has been conducted with the utmost secrecy. Nor did they intend to make much bustle about it. You will laugh, Prince. But so it happens with these sentimental ones! Love always plays them the worst tricks. A maiden, without fortune, and without rank,

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has captivated him by means of a little deceit, and much show of virtue, sentiment, wit,—and I know not what!

PRINCE. He who thus dares to yield himself entirely to the impression which innocence and beauty make upon him, without further consideration —is, I think, rather to be envied than derided. And what is the name of the happy fair one? For with all this, Appiani is—I know very well that you, Marinelli, cannot endure him; as little can he you,—still he is a very worthy young man, handsome, rich, and of high rank. I have wished very much that I might attach him to myself. I will still think upon it.

MARINELLI. If it is not too late. For I have heard as much as this, that it is not his intention to make his fortune at court. He will take his bride to his vallies of Piedmont, to hunt the chamois there, or to train the mountain-rat. What can he do better? It is all over with him here, on account of the unbecoming alliance which he has formed. The circle of the first families is, from this time, closed against him.

PRINCE. Your first families!—in which ceremony, constraint, ennui, and not unfrequently poverty also, bears sway. But tell me now, who is this whom he obtains at so great a sacrifice.

MARINELLI. It is a certain Emilia Galotti.

PRINCE. How, Marinelli? A certain—

MARINELLI. Emilia Galotti!

PRINCE. Emilia Galotti?—Never!

MARINELLI. Certainly, gracious sir.

PRINCE. No, I say; it is not, it cannot be.—You are mistaken in the name. The family of the Galotti is large. A Galotti, it may be, but not Emilia Galotti; not Emilia!

MARINELLI. Emilia—Emilia Galotti!

PRINCE. Well, there may be one who bears both names.—You said, moreover, a certain Emilia Galotti—a certain. Of the right, could only a fool thus speak?

MARINELLI You are beside yourself, noble sir. Know you, then, this Emilia?

PRINCE. It is for me to ask questions, not for you. Emilia Galotti? The daughter of Colonel Galotti, of Sabionetta.

MARINELLI. The same.

PRINCE. Who lives here, at Guastalla, with her mother?

MARINELLI. The same.

PRINCE. Near to the church of All-Saints?

MARINELLI. The same.

PRINCE. In a word—(*While he springs towards the portrait and gives it into the hands of Marinelli,*) There!—This? This Emilia Galotti? Speak that hateful "the same" once more, and plunge a dagger into my heart.

MARINELLI. The same.

PRINCE. Torturer!—This?—This Emilia will, to-day—

MARINELLI. Become the Countess Appiani! (*The Prince snatches the portrait from the hand of Marinelli, and throws it aside.*) The wedding will take place quietly at her father's country seat, at Sabionetta. About noon, the mother and daughter, the Count, and perhaps a few friends, will set forth to go thither.

PRINCE. (*Throwing himself in despair upon a seat.*) Thus am I ruined! Then I will not live!

MARINELLI. But what is it to you, my lord?

PRINCE. (*Springing towards him again.*) Traitor! What is it to me? Know, then, I love her—I adore her. May you know this now!

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You might have known it long ago, that I would have endured everything eternally for her, rather than these disgraceful fetters of the frantic Orsina! But that you, Marinelli—you who have so often assured me of the sincerest friendship. Oh! a Prince has no friend—can have none! That you—you could be so treacherous, so malicious, as to conceal from me, until this moment, the danger which threatens my love. If ever I forgive you this, then may my sins not be forgiven.

MARINELLI. I can scarcely find words, Prince—though you would allow me to do so—to express to you my astonishment. You love Emilia Galotti? Oath then for oath! If I had the least knowledge of this love—the least suspicion of it, then may angel or saint never know aught of me! The same would I swear of the soul of Orsina. Her jealousy is upon quite another track.

PRINCE. Pardon me, Marinelli; (*throwing himself into his arms*) and pity me.

MARINELLI. Now, Prince! see the fruit of your reserve. "Princes have no friends—can have none!" And the reason, if it be so? Why, because they will have none. To-day, they honor us with their confidence, impart to us their most secret wishes, disclose to us their whole souls; and, to-morrow, they will be as distant as if we had never exchanged a word with them.

PRINCE. Ah! Marinelli, how could I confide to you what I would scarcely confess to myself?

MARINELLI. And perhaps still less would have confided to the author of your trouble?

PRINCE. To her? All my efforts to speak to her the second time have been utterly in vain.

MARINELLI. And the first time—

PRINCE. I spake to her. Oh! I lose my senses! and can I narrate it to you at length? You see me a prey to the waves, why stop to inquire how I became so? Save me first, if you can, and then ask questions.

MARINELLI. Save you? there is much to save from! What you have failed, gracious sir, to confess to Emilia Galotti, you can now confess to the Countess Appiani. We must purchase goods at second-hand, if we can procure them in no other way—and such goods are often the cheapest.

PRINCE. Seriously, Marinelli, seriously, or else—

MARINELLI. Indeed, then so much the worse—

PRINCE. You are impudent!

MARINELLI. And, besides, the Count will take her with him into the country. Forsooth, then, we must think of something else.

PRINCE. And of what? Dearest, best Marinelli, think for me. What would you do, were you in my situation?

MARINELLI. In the first place, I would regard trifles as trifles—and would say to myself, I will not be in vain, what I am—Prince!

PRINCE. Do not flatter me with the possession of authority, which I perceive to be of no avail here. To-day, say you? Is it indeed to-day?

MARINELLI. Even to-day—shall it take place? And only events already past cannot be helped. (*After a moment's reflection.*) Will you grant me full liberty, Prince? Will you sanction whatever I may do?

PRINCE. Everything, Marinelli, everything which can avert this blow.

MARINELLI. Then lose no time. But you must not remain in the city. Go immediately to your country seat, at Dosala. The road to Sabionetta passes there. If I do not succeed in removing the Count at once, then I think——however, I believe he will surely fall into the trap. You wish, Prince, to send a messenger to Massa, on account of your approaching

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marriage? Let the Count be this messenger; on the condition that he set out at once. Do you understand?

PRINCE. Excellent! Bring him to me forthwith. Go, make all haste. I will throw myself into the carriage without delay. [*Exit Marinelli.*

SCENE VII.—THE PRINCE.

PRINCE. Directly! directly! Where is it?—(*Looking around for the portrait.*) Upon the ground? This is too bad; (*taking it up.*) Still to be gazed upon? I may look upon thee no more from this time. Why should I press the dagger still more deeply into the wound? (*Puts it aside.*) I have languished, I have sighed long enough—longer than I ought, while I have done nothing! And, by this careless indolence, all is within a hair's breadth of being lost! And what if even now all is lost? If Marinelli should effect nothing? Why shall I trust to him alone? It occurs to me—about this time, (*looking at his watch*) at this very hour, the pious maiden is accustomed, every morning, to attend mass at the Dominicans. What if I should endeavor to speak with her there? Still, to-day, on her wedding-day, other things besides mass will occupy her mind. Meanwhile, who knows? There is a step. (*He rings; and while he is hastily shuffling together the papers upon the table, the valet de chambre enters*) Let the carriage be brought! Are none of the council here yet?

VALET. Camillo Rota.

PRINCE. Let him come in. (*Exit Valet.*) Only he must not detain me. Not now! I will be so much longer at the service of his hesitation—at some other time. There was, just now, a petition here of one Emilia Bruneschi—(*seeking for it.*) There it is. But, good Bruneschi, if thy intercessor——

SCENE VIII. CAMILLO ROTA, *writings in his hand.* THE PRINCE.

PRINCE. Come in, Rota, come in. Here is what I have broken open, this morning. Not much that is agreeable! You will see for yourself how to dispose of them. Only look them over.

CAMILLO ROTA. Well, gracious sir.

PRINCE. Here is a petition from one Emilia Galott—Brun—eschi, I would say. I have, it is true, already written my consent to it. But still, the affair is no trifle. It need not be sent at present—or it may be, as you will.

CAMILLO ROTA. Not as I will, my lord.

PRINCE. What else is there? Anything to be signed?

CAMILLO ROTA. A death-warrant to be signed, perhaps.

PRINCE. Right gladly! But bring it quick!

CAMILLO ROTA. (*Starting, and looking earnestly at the Prince.*) A death-warrant, I said.

PRINCE. I understand you. It might be passed at once. I am in haste.

CAMILLO ROTA. (*Looking over his papers.*) Perhaps now I have not taken it with me! Pardon me, gracious sir, it can be delayed until to-morrow.

PRINCE. Even so! Only pack them together; I must be gone. To-morrow, Rota, one more!

CAMILLO ROTA. (*Shaking his head, while he takes up the papers and departs.*) Right gladly? A death-warrant, right gladly? I would not have permitted him to sign it, at that moment, even if it had related to the murderer of my only son. Right gladly! right gladly! It went to my very soul, that shocking right gladly!

CONCLUSION OF ACT. I.

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LANGUAGE.

(CONCLUDED.)

We will now examine the following proposition, to wit—"That originally there was a universal language, resulting from the fact, that language is natural to man." Many suppose that the foundation of language, as it now exists, can be traced to ancient Egypt. Some of the Greek writers, it is true, insist that language was invented by them, as they had sprung from the earth. The more learned and liberal among them, however, agree that from the Egyptians they had derived the germ, at least, of all that they posessed in the arts and sciences, in language, and ancient learning in general. What the language of the Egyptians was, it is difficult to determine. The probability is, that it was the Coptic, although many contend that it was the Hebrew, or a dialect of that tongue. From the fact that there exists a striking analogy between the Hebrew, the Pelasgic, the Coptic, the Ionic, the Doric, the Teutonic, and the Greek, it is manifest that they have had one common origin. That the Greeks derived their language from the Egyptians, cannot be questioned, when we remember that Cecrops emigrated with a colony from Sais, in Egypt, to Athens, in Greece, soon after the Ogygean deluge, which occurred 1582 years before Christ. The Celtic and Teutonic are said to have been derived from the Gothic, which came (through the Greek and Pelasgic) from the Coptic. The Latin language is a dialect of the Greek. The Teutonic is the basis of the languages of Germany, Holland, Denmark, Sweden, Norway and Iceland. The French is principally composed of Latin, interspersed with the Teutonic and the Celtic. The Gælic, or ancient language of Scotland, is derived from the Celtic. Some of the languages spoken by the savages on this continent, are supposed to have been derived from the Celtic. It has been ascertained by learned travellers, that the language of the Esquimaux and the natives of Greenland, came from the Celtic. The Goths, Vandals, and inhabitants of Tartary, spoke the Gothic.

The English language is composed of the Latin, Greek, Saxon, and French. It is manifest, therefore, from the above facts, that the language of every nation has had one common origin, a pretty conclusive evidence that a universal language once existed. It is a subject of curious inquiry, and has elicited much speculation, whether or not oral language preceded hieroglyphics.

The learned are not agreed in reference to the true character and design of the hieroglyphics found upon the fragments that remain of the ancient monuments of Egypt, particularly the obelisks. It is believed that the Egyptians used two kinds of letters; the one *sacred* and the other *popular*. The former were *learned* characters, and were understood by the priests only; the latter by the people in general.

The Ethiopians used a language of symbols. It consisted mainly of a hawk, a crocodile, a serpent; the eye, the hand, the countenance, &c. The hawk denoted that which was quick and rapid, because it is characteristic of that bird. The crocodile signified all that was wicked, dangerous, and destructive. The serpent, cunning, craftiness and venom.

The eye represented justice and watchfulness, because it is the natural

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guard to the body; the right hand, with the fingers spread, denoted the acquisition of that which was necessary for sustenance and comfort; The left hand clenched, implied the preservation and security of property. So in regard to the forms of things animate and inanimate. The idea designed to be conveyed by the figure, being soon learned, it was not difficult to read the characters. The distinction between the characters just referred to, and alphabetical characters, is very great. The former stand not for the *marks of sounds* or representations of the *mental perceptions*, but represent the *thing* directly and immediately. Alphabetical characters, on the other hand, represent the meaning by *sounds* that have been attached to things by the constitution and formation of written language. The former can be acquired by the exercise of the faculties of *sight* and *memory*; the latter requires a considerable exercise of the faculties of the mind, such as reflection and comparison.

To what extent the enigmatical language was carried in Egypt, it is difficult to ascertain. The Egyptians, like most ancient nations, were fond of mysteries. Whatever was calculated to lessen them in the estimation of other nations, was studiously concealed. Each nation sought to extend its origin to the most remote antiquity, and to connect themselves with the gods. Whatever tended to elevate them in the estimation of others, such as useful inventions, discoveries in the arts and sciences, the establishment of their mythological systems—all were exaggerated and involved in mystery. Hence the difficulty in tracing the chronology of events among the ancients, and of furnishing an authentic history.

From the investigation the learned have made in regard to the character of the languages of the earth, it would seem to be settled that they have been derived from one common source. The general harmony that exists between all languages, likewise proves it.

We will now proceed to establish the proposition that language is natural to man, and to trace its origin. Moses clearly establishes the fact that Adam and Eve were endowed by their Creator with the power of speech. After Adam was placed in the Garden of Eden, God thus addressed him:—"Of every tree of the Garden thou mayest freely eat; but of the tree of the knowledge of good and evil, thou shalt not eat of it." After the law thus given had been violated, the historian thus proceeds: "And the Lord God called unto Adam and said, where art thou? and he said, I heard thy voice in the garden, and I was afraid, because I was naked, and I hid myself. And he said, who told thee that thou wast naked?" The woman was likewise interrogated as to what she had done; she replied, "That the serpent beguiled me, and I did eat." It is manifest, therefore, that God did originally furnish man with an oral language. From the character of the conversation that ensued, it is evident that the language used was not only a language of sounds, prompted by instinct, such as animals use, but a language of ideas, systematized and perfect in its character. There can exist no doubt, therefore, that the antediluvians possessed a language derived from the great progenitor of mankind, which he derived from God himself.

Some contend that Adam was possessed of only the capacity for language, and that he acquired the faculty of speech gradually as we do. This idea is opposed by the fact, that before the creation of Eve, all cattle and other creatures were brought to Adam, and he gave them their names. Adam must, therefore, have been endowed by God, not only with the faculty of speech, but he must have possessed a great variety, both of ideas and words. He must have been endowed with a capacious mind, which at once perceived the nature and fitness of things.

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The names given in many cases to animals and other creatures, conveyed an idea of their character. According to the historical detail, it would appear that the "beasts of the field" and "the fowls of the air," formed by God, "were *immediately* brought unto Adam to be named. He could not therefore have derived his knowledge of their character from observation. A sufficient amount of knowledge requisite for the discharge of all the duties which God designed to devolve upon him, must have been at once communicated to him, and was, no doubt, coeval with his existence. If, then, it be conceded that God gave to man an oral language, when he created him, as we think we have conclusively shown, the difficulty as to its origin is removed.

If God gave to man an oral language, with what propriety can we doubt that he likewise gave to him a *written* language.

> "Those wondrous symbols that can still retain
> The phantom forms that pass along the brain,
> O'er unsubstantial thought hold strong control,
> And fix the essence of the immortal soul."

"The Book of the Genealogy" of the antediluvian patriarchs, from Adam to Noah, is represented as a *written* record. Moses says, "This is the *book* of the generations of Adam." If it were not a written book, but a mere tradition, could it have preserved, with such accuracy, the names of persons, and the events, occurring through *twenty-two centuries?* specifying not only the names, but the particular ages, of all the antediluvian patriarchs in regular succession.

All ancient tradition confirms the idea that writing was practised in very early times. The Jewish and oriental traditions affirm that writing was invented by Seth, the son of Adam. Pliny says, "I am of opinion that letters were always found among the Assyrians." The term always being *emphatic*, and meaning *from the beginning of the world.*

Cicero expresses the same idea. The first numerical characters in use were letters of the primitan alphabet, showing conclusively that letters preceded numbers.

Noah is the connecting link between us and the antediluvian world. It is reasonable to conclude that he possessed a general acquaintance, at least, with what of the arts, sciences, and literature existed before the deluge. That he had a pretty extensive knowledge of the mechanic arts, cannot be doubted, or he could not have built the ark.

Not long after the waters of the deluge had subsided, it is recorded that the people journeyed to the East; and "they found a plain in the land of Shinar, and they dwelt there." "And they said, let us build us a city and a tower whose top may reach unto Heaven." And the whole earth was of one language and of one speech. It is then declared, that in consequence of the presumption of the people thus manifested, God "confounded their language, so that they could not understand one anothers' speech, and scattered them abroad from thence, upon the face of the whole earth; and by these were the Isles of the Gentiles divided in these lands, every one after his tongue, after their families, in their nations." We have now traced language from Adam, to the confusion of tongues at Babel. The people were then scattered abroad upon the face of the earth; and, so far as we know, no authentic evidence exists of the progress or character of language, or literature, or science, until we reach the period in which Job lived. The book of Job is probably the most ancient written record extant. By an examination of its chronology, its style of composition, its morality, and its religion, much may be learned of the character of that period of the world. Some writers

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have supposed that Job was a fictitious person, and the book attributed to him an allegory. Had that been the fact, Moses would not have incorporated it in the sacred text. Besides, Job is referred to by Ezekiel and James as a *real* person. The Chaldee interpreters say that Job lived in the Patriarchal ages, before Moses;—Origen affirms the same. Job resided in the "land of Uz," which is believed to have been Idumea, or Edom, and lies on the borders of Arabia, the desert. This country was colonized by Uz, the son of Aram, of which Edom, or Idumea, was a district. Eliphaz was of Teman, a city of Edom; Bildad was of Shua, a district in the east country of Arabia Petrea; Zophar was of Naamah, a city of Edom; and Elihu is still more particularly described by his parentage as "the son of Barachiel, the Buzite, in the neighborhood of Dedan and Teman, in Edom, of the kindred of Ramer Aram." The above were the neighbors and friends of Job, who visited him during his severe affliction. The particularity which the sacred historian displays, in speaking of the individuals just referred to, shows conclusively that they were *real* persons, and resided in Edom and Arabia Petrea. It is supposed that Job was descended in a direct line from Shem, and that he is the person that Moses designates by the name of Jobab. "And Ophir, and Havila, and Jobab," these were descended from Joktan, and Joktan from Shem. The Arabic, Syriac, and Hebrew translations, giving the genealogy of Job, concur in the fact that he was originally called Jobab. In a translation from the "Codex Alexandrinus," it is said, in reference to Job, "that his former name was Jobab." According to Scripture history, "Jobab was the son of Joctan, Joctan of Eber, Eber of Salah, Salah of Arphaxed, and Arphaxed of Shem." Job's trial took place in the year before Christ 2338, or 818 years after the deluge. This was about 200 years before the birth of Abraham.

It is the opinion of Origen that Job wrote his book in Syriac, and that Moses translated it into the Hebrew. Job was not an obscure personage. His character and sufferings were known throughout Idumea and the adjacent country. Moses fled out of Egypt (after having slain an Egyptian) to his father-in-law, Jethro, in the land of Midian. Jethro was the priest of Midian, and Midian lay adjacent to Idumea. It is therefore probable that Moses procured the book from his father-in-law, Jethro, who had obtained it from the family of Job. Having established the chronology of the book, and endeavored to show how Moses obtained possession of it, we will now examine its character.

Job was evidently a learned man. His book clearly developes the important fact, that science and the arts flourished in his day. He speaks of the use of money. It is agreed by all writers, that money was not used in a barbarous state of society. Its existence and use, therefore, furnish evidence of an advanced state of civilization. Job thus refers to the constellations of the heavenly bodies, "which maketh Arcturus, Orion, and Pleiades, and the Chambers of the South;" and again, "Canst thou bind the sweet influences of Pleiades, or loose the bands of Orion, or canst thou guide Arcturus with his sins?" According to "Dueutant," a learned French author, the constellations "Chima and Chesil" correspond with "Pleiades and Scorpio," which were the cardinal constellations in Job's time. By an astronomical calculation, based on the *precision of the equinoxes*, made A. D. 1800, it appears that the constellations above referred to, were the cardinal constellations in the year before Christ 2338; so that in addition to other confirmatory circumstances, astronomy unites, with almost unerring certainty, in establishing the contiguity of the book of Job. Thus it is manifest that the

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science of astronomy had made sufficient progress to enable Job to mark out correctly, the forms and character of the heavenly constellations. It is now nearly 4000 years since Job wrote his book, and where can you find a purer morality, a more elevated and sublime poetry, a more correct appreciation of the character and holiness of God, and a more clear exhibition of man's duties and accountability than is there set forth?

From the testimony furnished by the book of Job, it will appear that the world, at that early day, was not so degraded or sunken in ignorance and superstition as is by some writers represented. A pure morality then existed, and a holy religion. Poetry, chaste, elevated, abounding in beautiful figures and sublime thoughts, such as the genius and efforts of the world has not since equalled, is there exhibited. *Could language have been in its infancy when poetry was in its zenith? nay, in the full blaze of its meridian splendor?*

Egypt was probably settled by some shepherd kings from Arabia, about 2100 years before Christ. This was 200 years *after* the book of Job was written. Arabia lay adjacent to Idumea. The inhabitants, in all probability, possessed an extent of knowledge similar to that known in the latter country. It is not difficult, therefore, to account for the superior knowledge of the Egyptians over every other nation. It is observed by Gasper Samedo, an Egyptian historian, that hieroglyphic symbols were introduced into China about 2000 years before the Christian era. This was 1000 years after the deluge, and nearly 300 years *after* the production of the book of Job. We have now shown that the book of Job is the most ancient written record extant, and of which we have any knowledge. It is more ancient than the origin of either Egyptian, Ethiopian, or Chinese hieroglyphical characters. We now proceed to prove that written as well as oral language was communicated to man by his Creator. It is recorded that "God gave unto Moses, when he had made an end of communing with him, upon Mount Sinai, two tables of testimony, tables of stone, *written with the finger of God.*" Here is evidence of a *written* language having been communicated to man by his Creator. Can it be supposed as within the range of probability, that this record was written in a *new, or strange language?* Is it not more consonant with reason, and the nature of things, to believe that the language employed was the Hebrew—the language always used by the Israelites? If we could determine, from reasonable data, what the language actually was, in which the "two tables of testimony" were written, we would have just grounds to infer that *that* was the language originally communicated to man by God. To determine that question, however curious and interesting it may be, is not material to the point we have been considering.

That language is susceptible of, and frequently undergoes, great alterations and deteriorations, no one can doubt, who is at all conversant with the history of mankind. We have instances upon our own continent, sufficient to establish this position. The French emigrants, who originally settled in Canada, both spoke and wrote the French language in all its beauty and copiousness. Not long after the settlement, that beautiful language degenerated into comparatively a mere jargon. The same may be said of the original inhabitants of "New Amsterdam." When they reached this continent, they spoke and wrote the pure Dutch of the Fatherland; but who would now suppose that the least relationship had ever existed between the language of Holland and the Dutch of this country?

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Upon a review of the subject we have been considering, we remark, that the fact may well be doubted, whether societies, or tribes of human beings ever existed without a language of words sufficient for the purposes of their condition. The brutes possess a language of *sound*, and can communicate to each other many things connected with their wants and dangers.

Can it be supposed, then, that man could exist without the use of that *in any degree*, which God originally conferred upon him? We readily admit that language increases in copiousness, variety, and beauty, as man advances in civilization and refinement; but we insist that in all conditions of society, and in every, and in all situations in which man may have been placed, in connection with his fellow, he possessed a language sufficient for the purposes of his condition.

The nations and tribes of the earth, whose character and circumstances have been clearly ascertained, (even the most degraded) all possess a language. The cupidity and *benevolence* of the present age and period, have prompted to the most extraordinary efforts. Civilized man has penetrated into the dark recesses of the most distant corners of the earth, and no evidence has yet been presented of the existence of man without language.

As language was originally conferred upon man, in connection with all his other attributes, and, at *the same time*, we may—nay *must*, infer that it was a *natural* attribute, susceptable of cultivation, but liable, if neglected, to deterioration.

Man's original state and character are beautifully described by the poet, who, speaking in the name of the Creator, says—

> "I made man just and right,
> Sufficient to have stood, tho' free to fall;
> Such I created all the Etherial Powers—
> Freely they stood who stood, and fell who fell."

The same principle may be considered as applicable to man *after* the fall. Whatever then remained to him was capable of preservation and improvement. He, however, was "free to fall" still further, if he failed to improve his faculties, and discharge his duties.

In the contemplation of this wonderful attribute, our minds are penetrated with the most profound veneration for its Author, and our hearts thrill with grateful emotions.

Without the use of language, written or oral, the power of reason would have been useless. Had he been endowed with all the rational faculties that we now possess, but been destitute of language, those powers would forever have lain dormant. We cannot reason, nor even think, without the aid of language. It is the medium by which all the operations of the mind are carried on. The dumb can form no definite idea of things, until they acquire a knowledge of the language of signs.

Is it not, then, essential to our very being, as rational and accountable creatures, that we should possess this important attribute?

Its importance will likewise appear, when we reflect that it is by the aid of language *alone*, that we are enabled to draw lessons of experience from the past. We may thus hold mental intercourse with Solon and Lycurgus, with Socrates and Plato. We may (in imagination) sit in the senate chamber, and hear the stern and incorruptible Cato, rebuking Roman senators for their licentiousness and venality. We may hear the intrepid and indomitable Paul, disputing at the Areopagus, or follow him to the tribunal of Festus, and there learn the importance of lan-

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guage, and the power of truth. In fine, language is the key that unlocks and opens up to our view all the treasures and beauties of earth, sky, and Heaven. It enables us, in some degree, to comprehend the wonders of creation—the beneficence and all-pervading influence of Providence, and the unbounded benevolence and goodness displayed in Redemption. In the immensity of the thought which the contemplation of this subject inspires, we are led to exclaim, with the poet—

> "Could we with ink the ocean fill,
> Were the whole earth of parchment made,
> Were every single stick a quill,
> And every man a scribe by trade,
> To write the love of God above,
> Would drain the ocean dry;
> Nor could the scroll contain the whole,
> Tho' stretched from sky to sky."

AFFAIRS IN PORTUGAL, &c.

The Revolution in France has extended its excitement to Portugal, and since the proclamation of the Republic, and the publication of its admirable decrees, the opposition press have been emboldened to take a stand in advocating principles of liberal government, which, previous to that event, were unknown in its capital. Before the month of February, the opposition was bold in assailing the Ministry, but its attacks were against individuals, and a change to suit them would merely have been a change of men. The tone of the liberal press at this moment, shows the influence that France has acquired in directing public opinion, and augurs well for the realization of the hope that the people of that country and its rulers will profit by her history. The friends of monarchy, through their press and leaders, circulate the most absurd tales in regard to the excesses they alleged to have been committed in France, while the opposition journals copy entire the articles of the Republican press of Paris; and words and thoughts never before expressed at that place, are now uttered at every moment. Liberty, Equality and Fraternity are at present oftener repeated and written than any other words in the Portuguese language.

Onemay judge of the effects of this boldness on those who dread a change; and lest they should not make one in time, they are reminded of that sentence, which, like the handwriting on the wall, is henceforward to be a decree against the kings—viz., Ja é minto tarde. "It is too late."

When the first reports of the French Revolution reached Lisbon, councils of state were held upon the measures necessary to be adopted to prevent a revolution. At first it was thought that there, as in Spain, the liberty of the press and of persons ought to be suspended. But fortunately, the execution of these ideas was not decreed, and it is owing to this better appreciation of affairs, that they have now order and tranquillity. The wisdom of the rulers of the government in not irritating the people to revolt, by suspending their constitutional rights, is well proven by the consequences which have resulted to Spain by pursuing a different policy.

There, with a blindness that is almost impossible to attribute to men or

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ministers, an outbreak was excited by measures that would have roused the most apathetic race to resistance, and the Narvaez Cabinet justly deserves for its atrocious conduct, the execration of every Spaniard. Had the insurrection been successful in Madrid, it would have produced one at Lisbon, for there are no boundaries to prevent the tide of change from rolling over the borders. But as it is, affairs are in a crisis, and the necessity of making concessions has been fully acknowledged. The late Ministry has been partly modified, and it is said that should affairs become more menacing than they are at present, the Prime Minister, the Duke of Saldanha, will advise that the leaders of the late popular movement, the Count des Antes, and his friends, be called upon to take charge of the government.

Should such a change take place, the concessions made to the leaders would prevent the proclamation of a Republic, for those likely to have position and power have not faith in the ability of the mass to fulfil the high and important duties required of citizens of a Republic. The upper and influential classes of this country doubt the ability of the masses for self-government; and although the people of Portugal are really deficient compared with those of the United States in many great requisites, yet they have qualities which, under a better system, would rapidly improve their ideas and powers. But the error of the upper classes respecting the abilities of the people for self-government, arises from the want of ability in the upper classes themselves to direct those below them. The latter class on many of the simplest questions have the most strange and erroneous opinions; and a reference to our country to give confidence in their own people, produces the reply that we have more intelligence, and have been prepared for the government under which we live. In the Chambers there have been several discussions upon changing the manner of electing deputies. Some recommend the direct vote to the indirect system, which, under the powers that be, makes voting an idle form. In this discussion the United States have been referred to, and we have reason to feel proud of the powerful influence we are everywhere exerting. One party alluded to our institutions, and the immense development which has occurred under them, as the result of our form of government; hence they desire to see some of its features imitated. With others, it is the character of our people which has produced these results, and they therefore think no change necessary. But a change must occur here, and those who will not prepare themselves to meet the altered circumstances, act unwisely. News from Spain is always expected with the greatest anxiety, for if any popular movement occur there it will produce one here. Within the past month Europe has greatly changed, and the diplomatic body at Lisbon have turned somersets. Many an advocate of kingly power, has been recently converted to a new faith, and the only one firm under the Europe of the present moment, is the Russian Representative.

The time is come for Europe to throw off the old system which has so long fettered her people; and our government might greatly aid the spread of its own principles, by placing its diplomatic agents upon as respectable a footing as the monarchies do theirs.

There is no government with which we would wish to form commercial arrangements, that would enter into negotiations with a chargé upon the same terms as it would with a Minister; and abroad, where position gives more opportunity to decide than merit, we ought to be wise enough to acquire great advantages at a trifling cost. But the agents of the Republic, if it is necessary to have them, ought to be placed on an equality with those of other nations. National pride and national good sense dictate this course. Our consuls should also be paid; for by making public the infor-

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mation they possess, respecting their own country and the one in which they live, they would aid in the increase of commerce; and for every dollar paid them as salary, through their exertions a hundred would be placed in the treasury. We alluded to the influence we are everywhere acquiring, and we now refer to an instance, to show how direct it is, even in Lisbon. Recently several persons, high in their respective parties, applied to Col. Hopkins, our Minister, for copies of the Declaration of Independence of the United States, and State Constitutions, and for information respecting our prisons and asylums. In the recent discussion on the direct system of voting, it was said that our Congress was composed of obscure men, while the Senate and Presidents, chosen indirectly, were our most distinguished men. The first part of the accusation was refuted most ably, and the Deputy Moniz stated that many of the Presidents, nearly half the present Senate, half the governors of the different states, and a large portion of our diplomatic body, had been members of the House; and that it was the system of direct elections which placed them all in power at some period of their lives. While legislation and statistics occupy the upper classes, our flag and arms attracts the masses; and its emblem is well understood. The absence of the crown proclaims to them that in our country there is no one to wear such an appendage. On a recent occasion, some Portuguese boatmen kissed and hugged an American flag, as it was lowered to the deck of the vessel upon which they stood. Within the last six months opinion has been changing with the "rapidity of thought;" and two events have produced this result—the Mexican war and the conduct of the Pope.

When the Mexican war occurred, and we made efforts to carry it on, our supposed inability to conduct an offensive war, and at times the precarious state of our army, occupied the attention of Europe; but the victories which crowned those efforts, and the state of quietness in which Europe was, gave these events, and the country which achieved them, the entire field of public attention. For several months past, every journal has been filled with them, and they have been the theme of conversation. With these facilities to spread news of our Republic—facilities which cannot be well appreciated but by those who are acquainted with the habits of the people of the Continent and the Peninsula, these events have penetrated into every circle; and particulars of our institutions, that dare not appear in journals under a censorship, have been communicated verbally to every class. Our Republic has rendered its homage and duty to the old world; its institutions and people have occupied the attention of even the sovereign pontiff, and through him Italy has received some of her long-withheld rights. His principles have produced changes in every Catholic country in Europe; and in Germany and in Italy events have taken a turn that must promote the interests and happiness of the people. The Republic of the United States owes it to her mother to revive upon her altars the fires which have been so long extinguished, in the land where repose the ashes of her Brutus, Scipios, and Cæsars. We owe it to Italy, for one of her sons discovered the world in which we live. In the present condition of Europe, we owe something to the Pope and to ourselves, for at present it is a death-struggle; and while his holiness is surrounded by the representatives of arbitrary powers, we ought to give him the moral support of having near him the representative of our government. If the popular movement now fails, Europe will commence a rapid decline. Russia, with its legions and funds, may produce a combination with Austria, that will prove as destructive to public liberty as it will to our interests; for if the people of Italy are crushed, our relations with its different governments must be in-

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jured by the return of absolutism. Royal families will direct national interests to the aggrandisement of other relations; and we, who have no such interests to attend to, indirectly must be losers. With kings, family considerations are everything, and the national interests are of secondary importance. This was the case with Louis the XIV., and in later days, Louis Phillippe pursued the same system. Under him we have seen with regret, that the attitude of the French government, whether in regard to Texas or Oregon, was not in harmony with the feelings existing between the people of France and those of the United States. With every republic, we may venture to assert, that in a few years our commerce would double; and it will be a narrow policy on our part, if we do not send to every government that adopts the republican form, a full mission. Treaties formed with governments which, from their extravagance, levy onerous duties on all our products, injure us; and it ought to be our wish that the people should rule, so that a more economical system would give greater developments to our interests with them.

We need not send ministers to be stump orators, or to write for journals; but we ought to have at the different capitals our best practical men. The new government to which they might be accredited, might request in its conferences information on the difficulties of the new systems: and if, at this moment, men like Jefferson and Franklin were in Paris, the new republic might have avoided several errors. Both were in France before its Revolution of 1789, and their stay at that capital, as may be said of all other American ministers, did no injury to republican principles. Our representatives need not meddle in the domestic affairs of a new government; but if called upon by respectable and influential persons for information respecting our own, they should not neglect to enlighten all inquirers.

In Germany, the King of Prussia is anxious to become Emperor of Germany, and the King of Sardinia is endeavoring to obtain the same honor in Italy. The idea of making a confederate government in these two countries so well adapted to it, is excellent, and will be realized through the permanency of the French Republic. In both divisions the people have had instruction; in the former, the Hanse towns formed a confederacy, which, in the middle ages, was the first power in Europe. The form yet exists in the free towns of Hamburgh, Bremen, Frankfort and Lubeck, and may again, if improved, reign over as extensive a territory as it did in past ages. In Italy, Venice and Genoa may form more liberal governments than those under which they expired. But there, there will be Republics, and the experience of a few centuries will teach them as it has all others. Our own Republic is more liberal than it was, and we may hope for improvement in the Italian and German states.

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LEGERDEMAIN OF LAW-CRAFT.

"I will arraign them straight—
Come, sit thou here, most learned justicer."
King Lear.

LAW, in some form, seems to be a constituent element in all existences—organic as well as inorganic, rational and irrational, animate and inanimate;—all are governed, and all obey the rule, except, forsooth, those refractory few who insist upon the defectibility of certain of the administrators of what may be styled judicial law, and adopt the maxim instead, of—"*every man his own lawyer.*" If law be a positive good to the community, we assuredly have no reason to repine at its present paucity; on the contrary, the Augustan age, in this respect, must have dawned upon us, for in what respect are we independent of its despotic sway? It greets us at the very advent of our being, and attends us through each successive stage of its duration, down to its close. Our fashion of costume and apparel, our choice and mode of eating and drinking, our habits of working and sleeping, and all the forms of our moral and intellectual being—in a word, our entire proper self, "body, soul, and spirit," yields willing allegiance to law. What is true of man individually, is true of the species in the concrete: and what may be affirmed of the "paragon of animals," may also be predicated of all subordinate mundane creatures. We are accustomed to talk familiarly of things, without reflecting upon the principles they involve: for instance, the laws of motion and gravitation are clearly revealed when a case of "assault and battery" occurs in the street, between two individuals—the *coincidence* between these governing principles is also very *striking* and all-convincing—at least to the parties concerned. These multiform phases of law constitute the very condition of things, and seem to serve as so many heir-looms, to connect together, as with a ligament, the several members of the great human family; yet, though descending to us as a kind of natural inheritance, we have to *pay* as dearly for each governing habit or law, as when one vainly essays to have his wrongs righted at a *legal* tribunal. Human laws are designed mainly to protect absolute rights; the laws, or the lawyers, however, often interfere with what seems absolutely right, till there is nothing absolutely left of the original right—and absolute wrong is of necessity the consequence. Those reputed allies—equity and justice—seem in these boasted days of "progress," not only to have repudiated their avowed relationship, but even to have well-nigh lost all kind of respect for each other.* Cato, it is stated, pleaded four hundred cases, and won them all. Charity would lead us to indulge the hope that a sterner virtue existed in his day, at any rate to warrant the adoption of the insignia of the well-balanced scales of the blind goddess. It is with law as with physic—the less we have to do with it the better: both commodities being but a negative good, if not indeed a positive evil.

* The difficulty of ascertaining the precise meaning of *law*, led to the establishment of a distinct branch of jurisprudence, called *equity*. Lord Chancellor Eldon, it will be remembered, presided something like half a century over the highest institution of this kind in England; so frequently indeed was his mighty mind poised on questions of gravest import, that the utmost his excessive erudition, caution and modesty would permit him to arrive at, after months, and often years of patient investigation, was—*to doubt*. No master mind of modern times, perhaps was a more thorough *doubter*; and yet who dares question his sagacious worth?

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Still, so long as diseases and discord disturb the social fabric, pacification and pills seem to be indispensable; and we must, therefore, content ourselves with whatever the collective wisdom of ancient and modern sages has prescribed as antidotes. Meanwhile, let us indulge the pleasing hope, that the hitherto protracted process of law, will, ere long, be divested of its wilderness waste of words, and reduced down to the simple elements of verity and common sense;—something analogous to the homœpathic system of medicine. Justinian had reduced the principles of law to three: first, that we should live honestly; secondly, that we should hurt nobody; and thirdly, that we should give to every one his due. These principles have, however, long ago become obsolete in ordinary legal practice. Natural law and artificial, possess, it would seem, little in common; the former indicates man's true happiness and peace—the latter too often proves the bane of both. It is said that no human laws are of any validity if they are contrary to those of nature; but who will, for instance, venture to deny the reality of the Poor Laws. In this case, as in most others, the law is more beneficial to its administrator, the lawyer, than the party whose interests it is ostensibly designed to subserve.

Of justice, one of the heathen sages has shown, says Johnson, with great acuteness, that it was impressed upon mankind only by the inconveniences which *injustice* had produced. The passage referred to is the following: "In the first ages, men acted without any rule but the impulse of desire; they practised injustice upon others, and suffered it from others in return; but in time it was discovered that the pain of suffering wrong was greater than the pleasure of doing it, and mankind, by a general compact, submitted to the restraint of laws, and resigned the pleasure to escape the pain." Whether to expediency, the Decalogue, or an intuitive moral sense we trace its source, it cannot be denied that the abstract principle of justice is essential to the happiness of society. If *law* were but the synonymn of equity and justice, and its administrators, without exception, men of inflexible integrity, would any one be found to complain, as now, of the grievous pecuniary costs and trouble attending its ministrations? Law has been compared to a new boot—a luxury which we approach with undisguised reluctance, and quit with supreme delight—a thing which transforms the ordinary calm and placable man into a living torment to himself and all around him. In more primitive times, our simple-hearted and trusting grandsires seem to have settled their differences in a much more summary mode than we are accustomed to: possibly because they possessed fewer of those learned expounders of legal lore, whose province, at least in part, appears to be to distort plain common sense and truth into all the tortuous twists and sinuosities of which a lawyer's logic is susceptible. Then, an "action at law" was a mere bagatelle;—it is not so now; it forms an era in a man's history. Besides, men in those days were more placable, and soon forgot their squabbles and animosities; now they are not allowed to do so; it would be a direct fraud and infringement upon the rights of the *legal* subject. It is Johnson, we believe, who says that a multiplicity of laws indicates a vicious state of society. What then shall be predicated of our boasted city of Gotham, with its stupendous statute books and legions of lawyers?

We suppose no one will imagine that we are advocating the suspension of the entire legal profession. In so large and heterogeneous a community as that of our Empire City, for example, there must necessarily exist a need for men who shall be empowered to arbitrate between contending parties; and it is unreasonable to expect, where so many conflicting interests exist, there shall not be found frequent occasion for the exercise of the preroga-

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tive. Yet that is no reason why good and honest citizens, who may occasionally come into collision with each other, and whose conscientious scruples induce them to appeal to an accredited authority for the settlement of their disputations, should become the victims of merciless harpies, who, under pretext of defending the right, seek to serve their own pockets rather than their client's interests. It is bad to have to abide a wrong through the cupidity or moral obliquity of another; but it is too often little better than doubling the mischief "to go to law." A man may be swindled out of a thousand dollars by some fraudulent transaction; but unless he appropriate another sum of proportionate amount to fee the attorney withal, all access to legal redress is denied him, to say nothing of the odds he may have to encounter, if his adversary choose to pay special fees for special pleading—i. e., special perversions of truth, and all kinds of wanton equivocation. The fault, in some instances, rests more with the client than the counsel: the judicial reports exhibit many such absurdities. Recently in the Chancery Court of Great Britain, the case of Narty vs. Duncan occurred, in which suit actually *two thousand pounds sterling* were expended in determining which party was liable to paint a board and whitewash a sign! Who pities such insane squabblers? they deserve all they meet with. But too frequently the relations between the seeker of justice and he who retails it, results as did the Hibernian's divided inheritance: "Sure, and I'm heir to a splendid estate under my father's will," said a verdant son of the Emerald Isle: "when he died, he ordered my brother to divide the house wid me, and, by St. Patrick, he did it—for he tuck the inside himself, and give me the outside!" Lest, however, the reader should deem us unjustly censorious, we may remind him that even Lord Brougham—the most undoubted authority, from his experience in all departments of legal learning and judicial administration—admitted that lawyers stood in the relation of umpires, who silenced the contending parties by carrying off the booty: affording a practical illustration of the fable of a certain classic writer with whom we usually form an *early* acquaintance.

In early times, chancellors and lawyers combined the dispensation of the *Gospel* with that of the *law*. In Campbell's Lives of the Judges, we learn that among these clerical chancellors, there occurs but one who did not ultimately reach the mitre. This was John Maunsel (A.D. 1246,) who, while holding the Great Seal, became Provost of Beverly, his highest Church preferment—but not his only one. This personage, according to Matthew Paris, held at once 700 livings. He had, it is presumed, presented himself to all that fell vacant, and were in the gift of the Crown, while he was chancellor. The greatest pluralist on record thought himself nevertheless an ill-used chancellor—and with some reason, too, for it was during his occupancy of the marble chair that a king of England (since the conquest) first practised the dispensing power—and it was he who introduced the *non obstante* clause into grants and patents.

It is difficult to estimate the proportion the clerical bore to the legal in this dignitary; but none will hesitate, we suppose, to apply, in his case, the old adage—"too much of a good thing is as bad as too little." From the same authority we gather some curious particulars concerning the ancient style of dress used in court by the profession. The "wigs," it will be remembered, are still in vogue in England, making their owners look like owls in an ivy bush; and although our legal gentlemen discard the badge of the silk gown and bag-wig, it will not be denied that they still retain a full measure of their self-complacency.

During Mary's reign, the lawyers devoted much of their attention to the regulation of their own dress and personal appearance. To check the

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grievance of "long beards," an order was issued by the Inner Temple, "that no fellow of that house should wear his beard above three weeks' growth, on pain of forfeiting 20s." The Middle Temple enacted, "that none of that society should wear great breeches in their hose made after the Dutch, Spanish, or Almain fashion, or lawn upon their caps, or cut doublets, under a penalty of 3*s.* 4*d.*, and expulsion for the second offence." In 3 and 4 W. and M. it was ordained by all the four Inns of Court, "that none except knights and benchers should wear in their doublets or hose any light colors, save scarlet and crimson, nor wear any upper velvet cap, or any scarf or wings in their gowns, white jerkins, buskins, or velvet shoes, double cuffs in their shirts, feathers or ribbons in their caps; and that none should wear their study gowns in the city any further than Fleet Bridge or Holborn Bridge; nor, while in Commons, wear Spanish cloaks, sword and buckler, or rapier, or gowns and hats, or gowns girded with a dagger on the back."

As the opinions of the great "colossus of literature" are cited upon all imaginable topics, and by many regarded as oracular, we may again quote his testimony in behalf of our subject: "The law," says he, "is the last result of human wisdom acting upon human experience for the benefit of the public." Many noble names illustrate the truth of this remark, such as Blackstone, Sir William Jones, Lord Mansfield, Chitty, Coke, Phillips, Starkie, Sugden, Stephens, Story, Kent, Wirt, Legaré, &c.; and in former times, Burleigh, More, Bacon, as well as two of still earlier date, Diocles and Charondas, who, it will be remembered, sanctioned their own laws by their own blood, from having accidentally infringed some arbitrary tenets they had themselves instituted. It must be admitted rather a severe test of their boasted virtue and inflexible integrity. Draco, on the other hand, seemed more inclined to slaughter everybody else rather than himself. A curious writer thus accounts for the history of the tutelar saint of this distinguished profession:

"Evona, a lawyer of Brittany, went to Rome to entreat the Pope to give the lawyers a tutelar or patron saint. The Pope replied that he knew of no saint not already disposed of to some other profession. His Holiness, however, proposed that he should go round the church of Giovanni di Letirano blindfolded, and, after saying a number of Ave Marias, the first saint he laid hold of should be his patron. This the good old lawyer undertook; and at the end of his Ave Marias, stopped at the altar of St. Michael, where he laid hold of, not the saint, but, unfortunately, the devil, under the saint's feet, crying out, 'This is our saint, let him be our patron.'"

Having established the origin of the genius or guardian spirit of this erudite profession, let us now exhibit some of the protean shapes and various designations under which it is recognised amongst us. *Common law* seems to be the basis of *all;* it has more of common sense in its composition than its counterpart, *civil* law, which may be said on most occasions to treat all who appeal to its sympathies most *uncivilly:* notwithstanding the great dramatist says—

> "Pity is the virtue of the law,
> And none but tyrants use it cruelly."

The term *common law* is used in two distinct senses:—in its legitimate and legal signification it denotes old unwritten law, sanctioned by custom and precedent; comprising, it has been said, "all recognised doctrines and principles, however introduced, which are neither to be found in the statute book, nor depend on the adjudication of courts of equity:—in its conven-

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tional and popular sense, it is used to distinguish it from ecclesiastical polity and equity, and thus it comprises all the systems of adjudication, both criminal and civil, administered in courts having trial by jury. In brief, law is subdivided into the following classification: common and civil law, municipal, constitutional, parliamentary, ecclesiastical, martial, maritime and military—not to mention *equity* and justice, its too frequent antagonists. In like manner, the halls or courts of judicature, are also manifold. In England there is the Court of Queen's Bench, and both there and in our own land, there are the Superior Court, Chancery, Common Pleas, Court of Appeals, Supreme Court, Courts of Errors and Equity, the Consistory and Ecclesiastical Courts, &c.; exclusive of these, we should mention those august bodies of collective wisdom, whose guardianship of the public weal and well-doing resides in the senate chambers of our several states, and at the national capitol. At none of these depositories of justice do its worthy purveyors, however, venture to dispense its favors *free of costs*,—

> "Convinced a thing so rare as that is,
> Should not be circulated *gratis*:"

On the contrary, these barterers of *principle* for *interest* make a man pay at a ruinous rate, in most instances, if he has the temerity thus to appeal to first principles to settle a dispute. The poor pitiable victim of the law—one who fairly gets into its meshes and labarynthine involutions, seldom escapes without broken bones, or, what is as bad, becoming a bag of bones and skin, through the cupidity and cunning of these amenders of public morality, with their bills of costs and penalties, parchments and briefs. During the famous Lord Eldon's chancellorship, who held, we observed before, an almost interminable term of administration, cases of *equity* were so consonant with his high sense of rectitude, that he is said to have retained counsel, (who, of course, were nothing loath,) in some instances, five, ten and even twenty years, according to the capacity of the purse of the parties concerned—this being the unfailing guage. The longest suit on record, in England, is one which existed between the heirs of Sir Thomas Talbot, Viscount Lisle, and the heirs of Lord Berkeley, respecting some property in the county of Gloucester. It began at the close of the reign of Edward IV., and was depending until the beginning of that of James I., when it was finally *compounded*;—being a period of not less than one hundred and twenty years! And to come nearer home, there was a case recently determined, which was pending three years, before the courts in Wyoming county, New-York. It was a suit to recover $25, the amount of a note given for a horse, &c.: the verdict was ultimately rendered for the plaintiff in amount claimed, with the modest item of costs of $800!—Does not all this tend to confirm the old supposition, that the father of evil has much to do with these limbs of the law, who set people at loggerheads, and then prevent their reconciliation till their pockets have been rifled of all their property? It has often been observed, also, that on this account it is that we see so few, if any, of the conscientious members of the Society of Friends among the class.

In the Court of Queen's Bench, a witness, named Lincoln, was called to prove a handwriting; and having looked at the paper sometime without speaking, Mr. Erskine exclaimed, "Well, sir, what is your belief? don't let the devil overlook *Lincoln*, but give us your belief of the handwriting." The witness, with great composure, turned round, and said, "I did not observe, sir, that *you* were overlooking me, and as for the handwriting, I can form no judgment of it." The court was convulsed with laughter.

Lord Brougham, in his celebrated speech on law reform, when he had not the hope of the chancellorship, or the fear of fickle fortune before his

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eyes, described the law as intended to be—"the staff of honesty and the shield of innocence;" but he added, that it "actually is a two-edged sword of craft and oppression." This is a noble instrument perverted to the vilest purposes. Æsop has a fable to the effect that a swallow built her nest under the eaves of a court of justice. Before her young brood could fly, a serpent glided out of his hole and devoured them up. When the poor bird returned to her nest and found it empty, she began a pitiable wailing, and when it was suggested that she was not the first that had been thus defrauded, "true," she replied, "it is not my little ones only that I mourn, but that I should have been wronged in the very place where the injured fly for redress." It is a common phrase with the profession, that "there is no wrong without a remedy:" it seems somewhat problematical, however, as to where the remedy is to be found. A wrong being but the suspension of right, all the law proposes is to reinstate the injured party; but equity being the boasted *spirit* of law, and as essences soon evaporate,—as far as the remedy is concerned, the law usually leaves a client in much the same condition in which it found him. The pre-requisites for an action at law, in a legal sense, are, according to the admission of a *retired* barrister, when appealed to on the subject,—"a good cause, a good purse, a good counsel, a good judge, a good jury, and good luck." What with their canine Latin and the perpetual wrangling of opposing counsel, as well as their pertinacious perversity for torturing simple facts—what was originally clear and intelligible, at length becomes such mystification, that to one not initiated into the sophisms and subtleties of legal disquisition, it appears impossible to distinguish between the wrong and the right. So, as the old song has it,—

> "If you're fond of pure vexation,
> Latin and botheration,—
> You're just in a situation—
> To enjoy a suit at law."

Thus, having submitted to the judgment of the court of public opinion our case against the pettifoggers of the law, it now remains that we cite the testimony before the jury, and await the issue of their verdict. Had those worthy judicial exemplars, Lord Hardwicke and Sir Matthew Hale, been made models of imitation by their successors, we should have found but scanty materials to sustain our presentment against the craft; but, do we ask, how stands the facts in the premises? Let the following passage from one of the clear-headed writers of the day—Douglas Jerrold—be the reply:

"One of the most striking and important truths brought to light by political economy, is, that law never interferes with the natural functions of society but to derange them. Its restrictions are not only injurious, they are also at once multifarious and incoherent. Plain men, therefore, cannot understand nor comply with them. Each man has in his own faculties the means of doing his duty easily to God and his neighbor; but his duty to the king and the Parliament must be taught and interpreted to him by the legal profession.

"Whenever our business brings us into contact with the law, we must flee for help to a man who professes to understand it, and who has helped to monopolise the interpretation of it by making it cumbrous and complicated. The profession takes property particularly under its especial care. For poverty has no regard, it has only chastisement. The land a man tills, and the beautiful machines he makes, he can scarcely sell without a lawyer's help. Where property is concerned a child cannot be portioned, nor a marriage contracted, nor the accumulations of a family fairly disposed of by the most enlightened common sense. It must be done by a lawyer. Whenever we have to walk amidst the intricacies which have been erected by the gentlemen of the bar, we must supplicate the aid of one of their guiding hands, and must pay largely for the assistance. The most

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ignorant are competent to comprehend nature, and walk as she directs; but the wisest and most sagacious man is not competent, without legal help, to comprehend the laws of the land. The barristers, for their own purposes, hold the human race in tutelage. Mankind are made their wards. They are scarcely allowed to speak in their own behalf; they must not defend themselves; they must employ a barrister. To escape the wiles of one member of the profession they must fee another. If it be said that this applies to attorneys rather than barristers, the reply is, that the attorneys can carry no suit to a conclusion; and that the barristers, whom they instruct and fee, are, for a fee, the ready instruments of their dirtiest work. Thus, designedly or undesignedly, the members of the profession do, in fact, make business for each other, and gather wealth by enclosing industry in their toils. The productive classes are their legal prey. They are ligatures impeding the growth, and issues drawing off the life-blood of society; they remove no inconvenience; they create no convenience. A physician or surgeon assuages pain, and may be a comfort to his patient; lawyers are only plagues, and even those who use them for bad purposes receive their services with impatience; they neither feed, clothe, instruct, nor cure their fellows; they are the offspring of conquest, oppression, and wrong; and their lives are passed in supporting the cause of their parents."

The lawyer, unlike the physician, has not the opportunity for indulging eccentricity of character,—whether it respects conduct and deportment, or opinions; yet there have not been wanting instances of this class, and a few which we have marked in our researches, we now subjoin. Serjeant Prime—on a certain occasion, when the weather was intensely hot, and the court densely crowded, the case being one of more than ordinary interest—made a speech of three hours' duration, whose soporific influence, aided by the oppressive atmosphere of the court, caused a boy, who had seated himself on a transverse beam over the heads of the spectators, to fall, not only asleep, but also on the people below. His own injuries were unimportant, but several individuals in court were seriously hurt; and as the blame was laid upon the prosy counsel's long yarn, he was tried at the circuit table, found guilty, and sentenced to pay a fine of three dozen of wine, which he did without wincing or complaining. As an instance of noble independence of character, we might refer to the incident recorded of the celebrated Lord Chancellor Thurlow. As Speaker of the House of Peers, he was distinguished for the dignity with which he enforced the rules of debate. Upon one occasion he called the Duke of Grafton to order, who, incensed at the interruption, insolently reproached the chancellor with his plebeian origin, and recent admission into the peerage. Previous to this time Thurlow had spoken so frequently, that he was listened to by the House with evident impatience. When the duke had concluded his speech, his lordship arose from the woolsack, and advanced slowly to the place from whence the chancellor generally addresses the assembled peers; then fixing upon the duke the look one may suppose Jove to have assumed as he grasped the thunder,—"I am amazed," he said, "at the attack which the noble lord has made upon me; yes, my lords, I repeat, I am amazed at his grace's speech," his voice and manner still increasing in earnestness; "the duke cannot look before him, behind him, or on either side of him, without seeing some noble peer who owes his seat in this House to his successful exertions in the profession to which I belong. Does he not feel that it is as honorable to owe it to these, as to being the accident of an accident? To all these noble lords, the language of the noble duke is as applicable, and as insulting, as it is to myself; but I do not fear to meet it single and alone. No one venerates the peerage more than I do; but, my lords, I must say the peerage solicited me, not I the peerage. Nay more, I can say, and will say, that, as a peer of Parliament, as

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Speaker of this right honorable House, as keeper of the Great Seal, as guardian of his majesty's conscience, as Lord High Chancellor of England, nay, even in that character alone in which his grace would think it an affront to be considered, but which none can deny *me*—as a *man*—I am at this moment as respectable—I beg leave to add, I am at this moment as much respected—as the proudest peer I now look down upon." The effect of this speech, both within and without the walls of Parliament, was prodigious; it gave Lord Thurlow an ascendency in the House, unsurpassed by any previous incumbent of the woolsack, and has placed him in a no less plausible aspect with the people of all times and all political creeds. Not only was this worthy representative of the high court of equity a most convivial *bon vivant*, he was, also, in the popular acceptation of the term, a wit. As brevity is said to be the soul of the article aforesaid, we present the reader with the following small dose. Once at table, Pitt was expatiating on the superiority of the Latin over the English language, and cited as an instance, the fact that two negatives made a thing more positive than one affirmative could do. "Then your father and mother!" exclaimed Thurlow, in his usual gruff style, "must have been themselves two negatives, to have introduced such a positive fellow as you are." Thurlow, in law, has been regarded something in the same light with Abernethy in physic, very rough, rude, and even insolent—a feature that tarnished his reputation, and which ultimately was the cause of his being deprived of the chancellorship. His utter indifference to the claims of religion, was no less conspicuous,—a somewhat amusing incident connected with which, is given as follows. He was once waited upon by a deputation of dissenters, to request him to vote for the repeal of the Test Act. When the deputation (who came by appointment) arrived, they were ushered into the chancellor's library, where a plentiful collation awaited their *discussion*. At length his lordship made his appearance, when, gratified by their reception, they made a long harangue, to which he made a short reply, in the following words: "Gentlemen, you have called on me to request my vote for the repeal of the Test Act. Gentlemen, I shall not vote for the repeal of the Test Act; I care not whether your religion has the ascendency or mine, or any, or none; but this I know, that when you are uppermost you will keep us down, and now we are uppermost we will keep you down." One more characteristic notice of his lordship's irreligious tendencies, and we take our leave of him. His brother, the bishop of Durham, it seems, possessed but slender influence over him in this respect, for, in seeking to vindicate his character before some company on one occasion, he had to admit that his appeals to the Divine Being were only audible when suffering from acute twinges of that fashionable, but by-no-means-to-be-coveted-complaint, the gout!

The bishop in question was about as direct in his method of vindicating his brother's reputation, as the bungling Hibernian, who, on being asked how he liked his newly *adopted* country, replied in the following lucid and unambiguous phrase: "If, plase God, I live till I die, which I don't much suspect, I'll see ould Ireland yit, before I lave Quebec!" And this reminds us of another son of the Emerald Isle, who, on being interrogated as to the cause of his coming to reside in the United States, said pathetically, "Is it what I came here for, you mane? Arrah, by the powers, you may be sure it wasn't for *want*, for I had plenty of that at home." We have already referred to the celebrated Chancellor Eldon, no less renowned for his distinguished *doubting* propensity. Many were the squibs, in prose or verse, of which the Fabius of Chancellors was the subject. To one, by Sir George Rose, a happy retort was made by his lordship, as seen in the subjoined extract:

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"My most valued and witty friend, Sir George Rose, when at the bar, having the note-book of the regular reporter of Lord Eldon's decisions put into his hand, with a request that he would take a note for him of any decision which should be given, entered in it the following lines as a full record of all that was material which had occurred during the day :—

Mr. Leach
Made a speech,
Angry, neat, but wrong;
Mr. Hart,
On the other part,
Was heavy, dull, and long:
Mr. Parkes
Made the case darker,
Which was dark enough without:
Mr. Cooke
Cited his book,
And the Chancellor said—'I DOUBT.'

This *jeu d'esprit* flying about Westminster Hall, reached the Chancellor, who was very much amused with it, notwithstanding the allusion to his doubting propensity. Soon after, Mr. Rose having to argue before him a very untenable proposition, he gave his opinion very gravely, and with infinite grace and felicity thus concluded :—'for these reasons, the judgment must be against your clients; *and here, Mr. Rose, the Chancellor* DOES NOT DOUBT.'"

Lord Campbell's recent Memoirs of the Judges and Chancellors, affords a plentiful supply of characteristic anecdote. We shall only quote the following as a sample: It refers to one who seemed to prefer *decision* to *doubt;* albeit his decision and sense of *right* was too frequently decidedly *wrong:*

"Although hardly any of Lord Loughborough's judgments were reversed, it must be confessed that their authority has not been considered very high among lawyers. When Lord Ellenborough was dining at a puisne Judge's—having been long engaged in a discussion with him in the drawing-room, the lady of the house stepped up and said, 'Come, my Lord, do give *us* some of your conversation—you have been talking law long enough.' 'Madam,' said the Lord Chief Justice, 'I beg your pardon; we have not been talking law, or anything like law; we have been talking of one of the decisions of Lord Loughborough!'"

It might be amusing to pick up a collection of cases of legal eccentricities; but as our space is necessarily restricted, we shall merely group the few before us, at random, relying upon the indulgence of the reader for any apparent want of order. The medical faculty do not alone, it should be borne in mind, assert a monopoly in the use of *canine* Latin, as the following incident will show:

Lord Kenyon's classical acquirements are well-known to have been but slender. He was nevertheless exceedingly fond of ornamenting his judgments with Latin quotations, which did not always fall exactly into their right places. Upon one occasion, he is said to have concluded his summing up in the following manner: 'Having thus discharged your consciences, gentlemen of the jury, you may retire to your homes and your hearths in peace;' and with the delightful consciousness of having well performed your duties as citizens, you may lay down your heads upon your pillows, and say, '*Aut Cæsar aut nullus!*' Upon another occasion, his Lordship wishing to illustrate in a strong manner the conclusiveness of some fact, thus addressed the jury: 'Why, gentlemen of the jury, it is as plain as the noses upon your faces!—*Latet anguis in herbâ!*' Even death could not divorce him from his bad Latin. Upon his hatchment it is said, there was inscribed *Mors Janua vitO.* On this fact being related to Lord Ellenborough, his Lordship observed, 'Yes, sir: it was by his own particular directions,—and moreover, it saved the expense of a diphthong!'

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Curran's versatile and ready wit has long been proverbial; like Lord Norbury, his name has been classed among those of Voltaire, Swift, and the humorists of their day down to our own. One or two will suffice: Mr. Curran was engaged in a legal argument; behind him stood his colleague, a gentleman whose person was remarkably tall and slender, and who had originally intended to take orders. The judge observing that the case under discussion involved a question of ecclesiastical law—'Then,' said Curran, 'I can refer your lordship to a *high* authority behind me, who was once intended for the church, though in my opinion he was fitter for the steeple.'

'No man,' said a wealthy but weak-headed barrister, 'should be admitted to the bar, who has not an independent landed property.' 'May I ask, sir,' said Mr. Curran, 'how many acres make a *wise*-acre?' 'Could you not have known this boy to be my son, from his resemblance to me?' asked a gentleman. Mr. Curran answered, 'Yes, sir, the maker's name is stamped upon the *blade*.' Mr. Curran being asked, 'what an Irish gentleman, just arrived in England, could mean by perpetually putting out his tongue?' answered, 'I suppose he's trying to catch the English accent.' At a public dinner, he was defending his countrymen against the imputation of being a naturally vicious race. 'Many of our faults, for instance, (said he) arise from our too free use of the circulating medium, (pointing to the wine,) but I never yet heard of an Irishman *being born drunk*.'

In *Fagan's Life of O'Connell*, we find several piquant and amusing anecdotes of that great representative of *Repeal*. We have heard him speak in the British House of Commons, and can readily imagine how much of the *spirit* of his humor is lost in its being *retailed*. He was once examining a witness, whose inebriety, at the time to which the evidence referred, it was essential to his client's case to prove. He quickly discovered the man's character. He was a fellow who may be described as 'half-foolish with roguery.' 'Well, Darby, you told the truth to this gentleman?' 'Yes, your honor, Counsellor O'Connell.' 'How do you know my name?' 'Ah! sure every one knows our own *pathriot*.' 'Well, you are a good-humored, honest fellow; now tell me, Darby, did you take a drop of anything that day?' 'Why, your honor, I took *my share* of a pint of spirits.' 'Your share of it; now, by virtue of your oath, was not your share of it *all but the pewter?*' 'Why, then, dear knows, that's true for you, sir.' The court was convulsed at both question and answer. It soon, step by step, came out that the man was drunk, and was not therefore a competent witness. Thus O'Connell won his case for his client.

Here is an instance of his ready-tact and infinite resource in the defence of his client. In a trial at Cork for murder, the principal witness swore strongly against the prisoner. He particularly swore that a hat, found near the place of the murder, belonged to the prisoner, whose name was James. 'By virtue of your oath, are you sure that this is the same hat?' 'Yes.' 'Did you examine it carefully before you swore in your information, that it was the prisoner's?' 'I did.' 'Now let me see,' said O'Connell, as he took up the hat and began to examine it carefully in the inside. He then spelled aloud the name of James slowly, thus, J-a-m-e-s. 'Now do you mean those words were in the hat when you found it!' 'I do.' 'Did you see them there?' 'I did.' 'And this is the same hat?' 'It is.' 'Now, my lord,' said O'Connell, holding up the hat to the bench, 'there is an end of the case,—there is no name whatever inscribed in the hat.' The result was an instant acquittal.

The following anecdote of two eminent pleaders, Pinckney and Emmet, we noticed in a late number of the *Knickerbocker*: it is an admirable rebuke upon those who suppose that irony, sarcasm and invective constitute the essentials of forensic eloquence.

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"We do not know when we have encountered a more forcible exemplification of the truth, 'that a soft answer turneth away wrath,' than is afforded in the ensuing anecdote: On one occasion in the Supreme Court of the United States, the eloquent Irish exile, Mr. Emmet, and the distinguished orator, Mr. Pinckney, were on opposite sides in an important cause, and one which the latter had much at heart. In the course of the argument, he travelled out of the cause to make observations personal and extremely offensive, on Mr. Emmet, with a view probably of irritating him and weakening his reply. Mr. Emmet sat quiet and endured it all. It seemed to have sharpened his intellect, without having irritated his temper. When the argument was through, he said, 'Perhaps he ought to notice the remarks of the opposite counsel, but this was a species of warfare in which he had the good fortune to have little experience, and one in which he never dealt. He was willing that his learned opponent should have all the advantage he promised himself from the display of his talents in that way. When he came to this country he was a stranger, and was happy to say, that from the bar generally, and the court universally, he had experienced nothing but politeness, and even kindness. He believed the court would do him the justice to say, that he had said or done nothing in this cause to merit a different treatment. He had always been accustomed to admire and even reverence the learning and eloquence of Mr. Pinckney, and he was the last man from whom he should have expected personal observations of the sort the court had just witnessed. He had been in early life taught by the highest authority, not to return railing for railing. He would only say that he had been informed that the learned gentleman had filled the highest office his country could bestow at the Court of St. James. He was very sure that he had not learned his breeding in that school.'

"The court and the bar were delighted; for Mr. Pinckney was apt to be occasionally a little too overbearing. When we take into consideration the merit of resistance against the natural impulse of a warm Irish temperament, we must admire still more the manner adopted by Mr. Emmet. Mr. Pinckney, as we gather from Wheaton's Life of that gentleman, afterwards tendered the most ample and generous apology. 'The manner,' said he, 'in which Mr. Emmet has replied, reproaches me by its forbearance and urbanity, and could not fail to hasten the repentance which reflection alone would have produced, and which I am glad to have so public an occasion of avowing. I offer him a gratuitous and cheerful atonement; cheerful, because it puts me to rights with myself, and because it is tendered not to ignorance and presumption, but to the highest worth, intellect and morals, enhanced by such eloquence as few may hope to equal; to an interesting stranger whom adversity has tried, and affliction struck severely to the heart; to an exile whom any country might be proud to receive, and every man of a generous temper would be ashamed to offend.'"

Lawyers occasionally know how to play the 'artful dodge,' as the following equivocating habit of one of the members of the English bar evinces: Serjeant Atcherly was noted for his manner of examining a witness, frequently endeavoring to conceal the importance of the fact which he wished to elicit, by previously putting some immaterial question, which he always prefaced thus: 'Now, sir, I am going to put a question to you, and I don't care which way you answer it.' This being frequently repeated in the course of the various causes in which he was engaged, did not fail to attract the notice of the bar. Lord Brougham (then Mr. Brougham,) meeting him one morning near the Temple, accosted him thus: 'Jones, I am going to put a question to you, and I don't care which way you answer it—How do you do?'

For the sake of variety, we now present genuine specimens of legal rhetoric in the far West: between the two extremes the judicious reader may be enabled to ascertain 'the golden mean.'

"Gentlemen of the Jury: Can you for an instant suppose that my client here, a man who allers sustained a high depredation in society, a man all on you suspect and esteem for his many good qualities; yes, gentlemen, a man what never drinks less than a quart of likker a day—can you, I say, for an instant, suppose that this

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ere man would be guilty of hooking a box of percushum caps! Rattlesnakes and coon-skins forbid! Picter to yourselves, a feller fast asleep in his log cabin, with his innocent wife and orphan children by his side, all nature hushed in deep repose, and naught to be heard but the muttering of the silent thunder, and the hollering of bull frogs, then imagine to yourselves a feller sneaking up to the door like a despicable hyena, softly entering the dwelling of the peaceful and happy family, and in the most mendacious and dastardly manner, hooking a whole box of percushum caps! Gentlemen, I will not, I cannot dwell upon the monstrocity of such a scene! My feelings turn from such a picter of moral turpentine, like a big woodchuck would turn from my dog Rose! I cannot for an instant harbor the idea that any man in these diggins, much less this ere man, could be guilty of committing an act of such rantankerous and unexampled discretion.

"And now, gentlemen, after this 'ere brief view of the case, let me entreat you to make up your minds candidly and impartially, and give us such a verdict as we might reasonably suspect from such an enlightened and intolerable body of our fellow-citizens; remembering that, in the language of Nimrod, who fell in the battle of Bunker Hill, it is better that ten men escape, rather than one guilty one should suffer."

Now for a Backwoods Judge's charge, in which he very dexterously defines the crime of murder:

"Murder, gentlemen, is where a man is murderously killed. The killer in such a case, is a murderer. Murder by poison is as much murder as murder with a gun. It is the murdering which constitutes murder in the eye of the law. You will bear in mind that murder is one thing and manslaughter another; therefore, if it is not manslaughter it must be murder. Self-murder has nothing to do with this case. One man cannot commit *felo de se* on another; that is clearly my view. Gentlemen, I think you can have no difficulty. Murder, I say, is murder. The murder of a father is fratricide; but it is not fratricide if a man murders his mother. You know what murder is, and I need not tell you what it is not. I repeat, that murder is murder. You may retire upon it if you like."

When a Kentucky judge, some years since, was asked by an attorney, upon some strange ruling, "Is that law, your honor?" he replied—"*If the court understand herself, and we think she do, it are!*"

As no one denies that the bar has been ever distinguished for eloquence, it is not needful for us to cite a list of luminous names to prove the fact. Rather would we present the following curious case of an attorney, who was possessed of wonderful facility in "facing both ways:" A Scottish advocate, we have forgotten his name, who having on a certain occasion drank rather too freely, was called on unexpectedly to plead in a cause in which he had been retained. The lawyer mistook the party for whom he was engaged, and to the great amazement of the agent who had feed him, and to the absolute horror of the poor client, who was in court, he delivered a long and fervent speech directly opposite to the interests he had been called upon to defend. Such was his zeal, that no whispered remonstrance, no jostling of the elbow, could stop him, *in medio gurgite dicendi*. But just as he was about to sit down, the trembling solicitor, in a brief note, informed him that he had been pleading for the wrong party. This intimation, which would have disconcerted most men, had a very different effect on the advocate, who, with an air of infinite composure, resumed his oration. "Such, my lords," said he, "is the statement which you will probably hear from my learned brother on the opposite side in this cause. I shall now, therefore, beg leave, in a few words, to show your lordship how utterly untenable are the principles, and how distorted are the facts, upon which this very specious statement has proceeded." The learned gentleman then went over the whole ground, and did not take his seat until he had completely and energetically refuted the whole of his former pleading.

(TO BE CONTINUED.)

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DEATH OF THE MARSHAL CONCINI OF FRANCE.

TRANSLATED FROM THE FRENCH BY "JUVENIS."

Concino Concini was a native of Italy, and the son of a little village notary. He married Leonora Galigai, a daughter of the nurse of the queen's mother, who had brought with her suite to the court of France several Italians, and among them Concini and his wife. For them she seemed to entertain the greatest affection, and on the death of her husband, when the parliament conferred on her the regency of the kingdom, she invested Concini with all her confidence, loading him with the most honorable distinctions, and entrusting to him the highest offices of the government. In short, the whole administration of that powerful state, which, by the ability and patient care of Henry the Fourth had been rescued from ruin, was thrown into the hands of this obscure favorite. These extraordinary and unjust proceedings did not pass unnoticed, for long and loudly had the principal lords of the kingdom—the ancient servants of the late king—protested against the ambition and avarice of the Marshal, though without effect.

It did not, however, escape the observation of the queen-mother and the Marshal's friends, that his political horizon was becoming more and more obscure. The jealousy shown by the old lords at the great authority possessed by this stranger, gave them cause to fear the existence of plots for his destruction; and though the character of the young king was mild and timid, yet they feared the blow would fall, and besought Concini to fly. But he, more confident in his success than ever, heeded not their advice, and in spite of the pressing solicitations of his wife and friends, obstinately persisted in remaining in France. This sealed his doom.

On Monday the 24th of April, the young king rose very early. Having announced the day before that on the morrow he would go to the chase, a carriage with six horses was in waiting to convey him to the grounds, and his gentlemen and body-guard were all ready to accompany him, impatiently waiting in the hall the signal of departure. Meanwhile young Louis was walking in great agitation in the grand gallery in company with M. De Vitry and D'Ornano.

"At least, M. De Vitry, I wish you to remove my mother where I shall not see her—not that I fear her presence or speeches—but her grief—her tears!"

"Yes, sire, it shall all be over in an hour." At this moment an esquire entered, and made a sign to M. De Vitry.

"Sire, the moment has arrived—I go to remove an obstacle from the route that would stop your progress."

"Go, M. De Vitry. You were always brave and faithful by the side of the late king, our father; you must be the same to the son. The service that you are about to render me is a greater one than I can ever be called upon for you, but you will not find me forgetful." Vitry started; the king seated himself in silence, and to hide his emotion, amused himself by scratching a piece of parchment with the blade of a dagger.

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Luynes, another nobleman devoted to Louis, had concerted with De Vitry the evening previous, and the latter was to have charge of finishing the Italian in the morning. He had placed several persons on the watch who were to prevent the Marshal from reaching the Louvre; the lord of Hallier, his brother-in-law, he had stationed in a corner of the lower court with two or three armed men, and Persan in another place with an equal number of soldiers; Lachesnaye was to act as sentinel at the first door. Vitry himself, while waiting the signal, set down on a chest in the hall of the Swiss, and conversed with the guards on indifferent subjects.

At ten o'clock the Marshal left his hotel to go to the Louvre, accompanied by fifty or sixty personages as his suite. He was dressed in a doublet of fine cloth of gold, with a skirt and breeches of grey velvet. An elegant horseman, all his movements were full of ease and grace, so that in the middle of the splendid cortége which surrounded him, he looked more like one of the royal blood, than an officer or courtier about to pay his respects to his monarch. Vitry, warned of his approach, left the hall where he had been sitting, threw his mantle over his shoulders, and went directly to the gate of the Louvre. Du Hallier, Persan, and their men followed—in all, about fifteen—and surrounded Vitry in the passage between the lower court and the draw-bridge. Slowly they opened a way through the crowd that attended the Marshal; meeting, among them, Baron du Tour, Sardiny, Caisny, and others, several of whom stopped M. De Vitry to pay their compliments. Caisny took him by the arm, saying—

"Well, captain, have you heard the news? The heretics have raised a revolt in the south. We hear the king goes to the chase this morning—how is his majesty's health?"

"Well!" briefly replied Vitry; and turning towards his interrogator did not perceive the Marshal, who just at that moment passed him.

"My lord Marshal is sick, is he not?"

"No, M. De Vitry, he is there just before you, reading a letter." At these words Persan and Sarroque quietly drew behind the Marshal, separating him from his suite. As soon as Vitry perceived him, he went boldly forward and seized him by the arm.

"The king has commanded me to arrest you!"

"Me!" exclaimed the Marshal, trembling with terror; "me!" and attempting to step back, he fell against the bridge.

"Yes, yes, you!" and pressing him still closer, Vitry cried out—"charge! comrades, charge!" In a moment Du Hallier, Morsains and Le Buisson threw themselves on the Marshal, each firing at the same time a pistol; two balls struck the bridge, the others pierced his head and throat, while Sarroque and Taraud thrust their swords through his hated body, laying him lifeless on the earth.

None of those who formed the cortége of the Marshal evinced the slightest disposition to defend him; on the contrary, all, with the exception of two pages, who amused themselves by shedding a few tears, rejoiced at the deed, throwing off their mantles and swinging their chapeaus in a frenzy of delight.

The news of the Marshal's death quickly spread through Paris, and all the city heard of it with joy. The nobles, the merchants, the peasants, the clowns, talked incessantly of the fall of the detestable Italian; for so odious had he rendered himself by his avarice, extortion, and pride, that he had raised up enemies among all classes, and his death was hailed as a happy omen. But the popular vengeance was not yet satisfied; comparatively few persons had actually witnessed the destruction of the Marshal, and his body had been hastily removed from sight, so that they had not been able, as they

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wished, to feast their eyes with the spectacle of his fearful punishment; each interrogated the other as to where the body was interred, but the most profound ignorance rested on this subject.

A few days after the execution of this bold enterprise by Vitry, some soldiers entered the church of St. Germain L'Auxerrois to say prayers. "Stop," said one of them, "it appears to me that it was here we buried the body of that scoundrel."

"Do you think so? I could not tell the place, the night was so dark."

"I am sure it is under this very stone that the devil is burning the Italian;" and stooping down, the soldier carefully examined the place.

"What are you doing there, my masters?" demanded a hosier, who was also there at his devotions.

"Citizen, I am searching for the stone under which reposes the body of my lord Concini, while the demons below are disputing for his soul."

"Ha! do you know, then, where that infernal Italian was buried?" hastily cried out a hearty-looking fish merchant, who had overheard the conversation.

"To be sure, I buried him."

"My good fellow, if you will show me that scoundrel I will treat you to a fine dinner, with twenty kisses for your dessert."

"Done! On the faith of a Christian he is there—he is there."

As he said this, all the faithful who were at prayer in the church, but whose attention had been diverted by the noise, ran precipitately to the spot, and surrounding the soldier, overwhelmed him with questions. The priests, alarmed at the disturbance, now came forward, and endeavored to silence the tumult.

"Back! back!" said they, "you profane the house of God."

"My lord, my curate, and my little priests!" exclaimed the hosiery merchant, who acted as leader, "we are all good Christians, and wish to carry out of this holy church the dead body of a heretic, a sorcerer, put to death by the order of our good king."

"Away! leave the place!—respect the ashes of the dead!"

"*Tout beau!* my worthy Abbé, do not trouble yourself—let us alone; go to the mass—there is your work, here is ours. Some sticks! some sticks to raise these stones!" Immediately the benches and chairs were broken up amid loud cries of "*vive le Roi!*" and a score of bandits seized the pieces and commenced digging up the earth.

"Truly, my good fellow, thou hast not deceived us. Victory! here are the feet of the villain. *Vive le Roi!* Bring some cords to pull him out of his grave? Hurra!"

"There are no cords, comrade."

"Vagabond! there are some in the clock,—quick! cut them out!" In an instant they were furnished and tied to the feet of the body, which was pulled out by main force before it was half uncovered. As soon as it was in sight, the utmost fury prevailed; the crowd constantly increased, swarming the aisles, mounting on the benches and arches, yelling with the fury of madmen. The grand-provost was sent for to quell the riot, but as soon as he appeared with his archers, hisses and groans resounded from all sides.

"What are you doing here? Clear away!"

"Why do you wish to hinder our just vengeance? If thou approach us, we will bury thee alive with thy soldiers! Go, or rather follow us."

At last they got out of the church, and the dead body was dragged along to the house of M. Barbin, (comptroller of the queen's household and one of Concini's friends;) there they stopped.

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"Come here, friend Barbin," cried the ragamuffins, "come here and see thy good compeer, the Marshal. To the window, rascal! to the window!"

Barbin was obliged to present himself at the casement; and it was well for him that the archers guarded his house, or he too would have fallen a victim to the fury of the populace.

"To the new bridge! to the new bridge!" Towards that place the crowd then directed their steps, bestowing, as they went, blows with sticks and stones on the body. Meeting on their way with a gibbet, which had been erected only a month previous by the late Marshal on which to hang all those who thwarted his plans, they halted, and proposed to hang up the body of the hated tyrant now in their power.

"My good friends!" cried out at the top of his voice a tall lacquey, who had been in the service of the Marshal 'till within three weeks of his death, "my good friends—my noble lords,—Monsieur l'Italian having threatened to hang *me*, grant me, I beg you, the honor of hanging *him*, the illustrious, the glorious Marshal. I claim the preference."

"It is just, it is just," resounded from all sides; and raised in the arms of the spectators and carried upon their shoulders, he tied the carcass by the feet and hung it on the gallows.

After having thus disposed of his ancient master, the lacquey placed himself at the foot of the gibbet, and holding his hat in his hand, *demanded something for his trouble.* His request was so plausible, that in an instant his hat was filled with coin, each one bringing some offering, even down to the cripples and beggars; while such as had nothing else to bestow, gave him the best wishes of their hearts, so universal and deadly was the hatred against the intolerant Concini.

After hanging about half an hour, the body was again torn down by the people, who flung themselves upon it with unabated violence; they pulled out the eyes, cut off the nose, the ears, and the arms, 'till weary with remaining in the same place, and anxious to add some fresh indignity, some of them took hold of the remainder of the corpse and dragged it through the streets in triumph. Drunkenness and fury were now at their height among the people. Arriving at the street of the *L'arbre Sec*, they rested awhile, and then hurried on to the *Place de Gréve*, where they hung the disfigured trunk again on another gibbet which they found there, and which had also been erected by the Marshal's orders. They stripped off the linen in which he had been buried, and making of it a *great rag-baby*, to represent him in effigy, the executioner tied that likewise to the gibbet, and, with wild shouts, danced about it in demoniacal merriment. From thence they went again to the new bridge and burned some pieces of his flesh before the statue of the late king; then returning to the *Place de Gréve*, they finished burning all that remained of the proud and haughty Italian, before whose power they had so long trembled. The fire was wholly composed of the gibbets which they had found on their way; but the bones not consuming as soon as the flesh, they drew them from the fire, and beating them to pieces, threw the cinders to the winds. The ashes was carefully gathered up by one of the multitude, and the next day sold by the ounce at a very high price.

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FRANCE BEFORE THE REVOLUTION.*

As, on the sudden development of some grand phenomena, inquiry is raised as to its preceding movements, so now, from the Revolution in France, which has already taken a social aspect, general attention reverts to what went before. Even those, to whom its past occurrences were a present experience, read anew: For all is now changed: what was material through association, what was of thought through action. From cottages and abbeys, from halls and vineyards, comes a new voice. We can even imagine that the sun goes down with a more heavenly light in view of a people who deem their sufferings ended. There is little cause to doubt the nature of the future institutions of France, or the maintenance of that internal tranquillity requisite to their right establishment and growth. Its circumstances, as well as its governing influences, are democratic. This is the end of packed electoral colleges and bought majorities—the flame of that spark struck in the league of Deputies with Radicals. But who had dreamed that such a storm could be succeeded by such a stillness, confusion by such order, violence by such security! The letters of late travellers in that country are being re-examined. It is an attempt to look on the colors ere they fade; on traditional form while crumbling into nothingness. Of those who have gratified us with recent descriptions—the letters mentioned at the head of this article are worthy of especial mention. Mr. D. P. Barhydt was commissioned by our government to examine into, and report upon, the warehousing system of that country and England. Mr. B., with the sagacity which distinguishes Americans, not only declined to judge by superficialities, but had the wisdom to use the opportunities his position commanded for obtaining knowledge of hidden currents. He would not even take on trust the well-indorsed dogma of French politeness. On careful analyzation, it resolved itself, in his view, into thick dissimulation, supported by a spirit of ferocity. Hear, in his description of the Italian Opera at Paris, the following:

"Your seat, if in the parquette, is in a crowd—a well-dressed crowd of polite French gentlemen. Yet touch the person of one of them in your efforts to get to or from your seat, and he is ready to take umbrage, as if an insult were intended and given. The eternal "*pardon, Monsieur,*" is heard on all sides, offered as ample atonement, and if you fail to give utterance to these talismanic words, expect to be saluted with a scowl that seems to demand it."

It is to be hoped that democracy will humanize these men. Nevertheless, another species of politeness is noted as prevalent, which cannot be eradicated even from this country, and the cure of which in France may well be deemed hopeless.

"The politeness is seen when you are in a shop purchasing. The hope of getting your money draws out smiles and winning graces innumerable; but leave without buying anything, and as you get to the door, look back, and you will fancy that your senses have deceived you—the countenances but now so pleasing, are looking black vexation at your departing self."

* Letters from Paris. By D. P. Barhydt, United States Warehouse Commissioner in Europe.

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Napoleon called the English a nation of shop-keepers. Louis Phillippe, if he never went a shopping, has at least kept shops; the like of which Bonaparte never would have stooped to. Behind the arcades of the Palais Royal are ranged some three hundred of the most elegant shops and restaurants which, at the time of Mr. B.'s visit, were owned by that gentleman. Rows of trees, a fountain in the form of flowers, and marble statues, adorn the square. A most splendid coup d'œil is presented at evening, when it is the resort of hundreds of citizens, and the gardens are illuminated. The extensive Boulevards, too, consisting of wide streets, formerly the rampart walls of the city, and leveled by Louis XIV., are a famous nightly resort.

"Their spacious extent, the rows of shade trees, the lights illuminating the groups around the tables, the sound of music, the large proportion of ladies, the roll of carriages, present altogether a varied and inspiriting scene of life and beauty. One inquires how these people find so much leisure for amusement—for it is the business of all, not a privileged few. The poorer classes have their boulevards and their guinguettes. This people make leisure, the Americans never find it."

Mr. B. who is an eminently practical man, for the edification of Broadway, writes as follows:

"Passing along the fine streets here, they have seemed, by the light of the moon, to be of a cleanliness that one would be inclined to ascribe to something more than sweeping, and could almost fancy they had undergone a scrubbing."

Certainly the pavement of Parisian streets, being of flat stones, are better adapted to cleanliness than ours; but when the Russ pavement is laid, no excuse can be admitted.

We have let drop the "dread name" of Napoleon, who now rests beneath the immense dome of the magnificent hospital of the Invalides. It was on a summer's evening that we ourselves entered the sacred edifice which opens on the monument of this man, whose deeds have hastened the resurrection of European mind. The banners of the conquered, some emblazoned in ancient beauty, others torn in distant fields, stooped from above in still and impressive succession. It was an undying moment of our life. We stood, with no words to speak, beside the toil-worn soldier, who, after awhile led us to the chamber adorned with the paintings of Napoleon and his marshals. Musing on a like visit, Mr. B. says—

"Mention the name of Napoleon, and the eyes of the mustached veterans light up with some of the fire that warms the war-horse who snuffs the battle in the breeze. They revere his memory; millions in France do the same. It could not be otherwise than that they should feel proud of him."

The man who made their country the mistress of Europe; whom the combined powers of its monarchies barely overthrew after the elements had wounded him; who did more to improve the condition of the people than their kings had done for ages; it is fitting that France should honor him whom the wide world will, at some future day, regard in another light from that prejudiced medium through which English historians have taught us to regard him. A view that has been fostered by the agency of those leagued monarchs whom he overthrew in the might of his greatness, and compared with whom, with all his errors, how infinite his superiority! Hated by them because he taught their subjects that they were not infallible; that thrones are not divinely constituted necessities, at least as they organized them, he is loved by the masses who

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felt themselves raised, as their tyrants were depressed, by his powerful hand. And was it so? Yet did Napoleon fail to receive himself the lesson. We know that his civil administration was an advance upon that of any preceding emperor. It was, nevertheless, on the same system of rule which has no reference to public justice, being simply for the preservation of public order; in other words, the continuation of submittance. It was the fortune of his power to win the admiration even of the oppressed. Ask, says Lamartine, the patriot, philanthropist, statesman, philosopher and poet,

> "Ask of the round world!
> Read it where'er thou seest a nation's flag unfurled,
> From Russia to the Syrian zone!
> Read it in marble column and in marvel story!
> Yea, in the hearts of those who, slave-like, deemed it glory
> To spend their blood to rear his throne!"

To the good he wrought, his position held no other relation than that of an opportunity. It resulted from his capacity to discern how far, with safety to his own authority, he might gratify the nation's need; to embrace at once the interests and views of what concerned the state, in their various bearings, relations, and dependencies, and in the development of his project to descend to the minutiæ of details and an exactitude of calculation; being enabled thus to provide for every emergency as far as the limits of human prescience would admit. The people of France who sacrifice, as we have seen, domestic comfort to nightly assemblings in public gardens and streets, might easily have been beguiled to other important sacrifices, even that of liberty, for world-renown. Mark the scene presented to Mr. B. at a ball-room, and his suggested thoughts:

> "It is now eleven o'clock, the hour at which the police regulations require that these places of amusement be closed. Suddenly marches in a squad of soldiers—they scatter around the room; when, down with a clang, come the butt-ends of their muskets upon the floor. The lights begin to disappear—the music ceases—the dancers hastily commence moving towards the door--behind each group silently and promptly falls into line a soldier with his bayoneted musket shouldered; not one group or individual of the crowd of pleasuring men and women, but is within reach of a bayonet's point. Ah! this is stern—it is a history—what a revelation! a revolution! What a police—what a people—what precautions—what smouldering fires are here!"

So complete is the manifested thraldom as to suggest an insurrection of human intelligence—an insurrection from the same necessity that has ever rendered political experiments in France bolder than in other countries. Some one principle there has ever had extreme ascendancy, and been followed up to its utmost consequences; while in England, for instance, there has been a simultaneous development of different social elements which, if not finding a common level, and so like the waves of ocean kept in constant motion, yet obtained a government more regular and free. They extended with and modified each other, and probably without serious disorganization, will enable England now to array herself in unison with surrounding sentiments. The present revolution in France, as founded on better and truer views of human rights and the purposes of human existence, and by adapting itself to those great and powerful interests, the co-operation of which is essential to the welfare of nations, has proved itself equal to the diversities of situation and all the inequalities of chance. Mr. Barhydt remarks—

> "France cannot be the most highly civilized, morally; her civilizations must lie

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in the externals, in the superiority attained in outward polish, and its concomitants, in the luxuries and their consequent depravities, for underneath all is a certain ferocity that is not the offspring of enlightenment."

But in proportion as social life is better regulated, individual life is more refined: all its advances profit humanity. A reformation of the French heart, and manner as its exponent, may ere long be expected.

Mr. B. establishes the proposition, that in proportion as a people govern themselves, so will they be truly civilized.

"There is a principle of inter-reproduction of intelligence growing out of the operation of the self-governing power turned in upon itself. It produces the effect, that the more and longer they govern themselves, the better qualified a people become for doing so; for they are constantly becoming more enlightened."

This is a fine passage; and like a philosopher, he in another letter thus speaks:

"Civilization will not be as far advanced here as it is with us, until they also shall govern themselves. Are they yet fitted for it? Perhaps not; and before they will be, perhaps there must be a protracted struggle against the *unequal*, and a succession of revolutions. Educate them; give them the press exercised without restriction as with us. Those liberal spirits here who pray fervently and labor perseveringly for the social and political regeneration of the people, shake their heads and sigh, as they express their doubts, their conviction, that education is wanting, and their fears that it will be a long time before this want is supplied. But then they cast their eyes toward the west, and a new hope beams through the mists of doubt."

Mr. Barhydt is, as we have said, a clear-headed and observant man. What can prove this more than the following passage, considering the time at which it was written.

"Revolution is a word of much signification here in Europe. Louis Phillippe is the present France—Metternich is the present Austria—Austria, whom one class of teachers would probably style the rational liberty, for with such, free republicanism is an irrational condition of disorder. Let these two old men slide off the stage, and there will probably be another France—another Austria. Through the openings created by the removal of these two barriers, what floods of revolution may rush—what changes throughout political Europe may ensue! The king of this country is evidently very unpopular. He moves in the midst of an army, or stealthily at night surrounded by his guards. One feels here as if a volcano was glowing underneath, ready at the slightest collision of the various discordant political elements to burst forth in all the fury of a bloody revolution."

The notice of the National Guard of Paris, in the time of Louis Phillippe, is not uninteresting:

"It numbers sixty thousand; a large part are on duty constantly, and the remainder are ready to appear armed for action at any hour. They are composed of the citizens, who are required in turn to spare only a short time each month from their avocations. Then the shop-keeper leaves his citizen suit behind his counter, the artisan lays down his tools, the book-keeper closes his ledger, and all donning the blue coat and red pants, the hat with the frontispiece, and taking sword or gun, each becomes a citizen soldier, ready to do battle valiantly against another allied army, or the actors in an *emeute*."

With the renovating influence of the fine arts on the minds, disposition and energies of a people, the rulers of France have long been conversant. We could wish we had space to bring the reader, by these letters, to Versailles, "where the history of France is written in all the gorgeous beauties of sculptured marble, and fine paintings of gilded fret-work and

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of silken tapestries." Turn we for a moment to the palace of the Louvre, fitly described as a vision of beautiful works, contributed by all the world.

"For the *first* time I did *see* what it is; but, to *know* what art is, or rather for me to begin to know, was reserved for the teachings of the Louvre. If what I had seen was beautiful, this is divine; if it was grand, this is sublime. Ah! one must come here, and return again and again, and then he will feel that he is beginning to see with his understanding, and that he had previously been only seeing with his eyes. It seems that we must, as a people, be ignorant of art. And how the mass of our works fade before these, in this great store-house of art, the contents of which the wealth of nations would not buy! Here art seems to outvie nature—here, where the landscapes of Ruysdael and Berghem in ærial distance transport one into an elysium—where the heads of Guido present a beauty for us to worship with the inspiring love of the beautiful—where the sea views of Vernet, the tableaux of Poussin, the anatomy of Champaigne, the pictures of vulgar life by Douw, and the sweet groups of Cuyp, charm with their surpassingly truthful naturalness;—where the imposing subjects of Rembrandt, and the holy ones of Raphael, Carracci, Guido, Jules Romain, &c., &c., call forth our worship of the religious."

By way of change, we will close "where the nobleman, statesman and artisan have striven to rival the pompous magnificence of kings," as now in life these kings come down to them, to the beauteous cemetery of Pere la Chaise. In its chapel are unceasingly praying watchers, a gentle sisterhood, who, enveloped in white robes and veils, kneel before its altar, undisturbed by the least motion, and in silence. Without, in sublime simplicity, is the tomb of one whose memory is sufficiently honored in the triumph of those principles of human right and happiness which, once developed, live forever. No St. Denis, no Invalides, no sculptured and emblazoned temple, no fretted and gilded dome made with hands, rises above it; but prostrate upon the earth, and exposed to the elements, this broad slab looks up to the over-arching heavens, bearing upon its face the name of Lafayette!

POPULAR PORTRAITS WITH PEN AND PENCIL.

MAJOR-GENERAL GAINES.

The usual magazine limitations of such a biographical notice as we are about to attempt, cannot but be frequently felt as a sad hampering of the pen, especially when the subject of the notice is—as is the case in the present instance—one who for full half a century has played an important and active part on the stage of public affairs. There have been cases, and many of them too, of men, whose position and whose talents have justly entitled them to a place in our portrait gallery of American worthies, whose lives have been on the whole so uneventful, or whose public services have been spread over so small a period of time, or have been of such a character as to exclude much of interesting detail, that the space of a few pages in our magazine has been more than sufficient to chronicle all the prominent circumstances of their careers—to indicate their more striking mental or moral characteristics, and to award them their full degree of praise; not so, however, in the present case. The subject of this notice is one who, from earliest youth,

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has been engaged in the service of his country—has filled many offices, passed through a great many exciting scenes, and has performed actions and exhibited qualities, that have connected his name, more or less, intimately with many of the most interesting pages of American history. It will be readily seen, then, that limited as we are by the exigencies of a monthly review, a biographical notice of General Gaines must be comparatively meagre, and that many portions of his life, and many events, that in the amplification of a volume would prove of the highest interest to the reader, must necessarily be either but slightly alluded to or wholly suppressed. With this apology for what would otherwise be deemed wilful barrenness on so prolific a theme, we will proceed to indicate, as succinctly as possible, the more salient features of our hero's life.

Captain James Gaines, the father of the subject of the present memoir, was an officer of the revolutionary war, during a part of which he served with distinction, at the head of a company of volunteers. He was the nephew of Edmund Pendleton, who was for many years the presiding Judge of the Court of Appeals, in Virginia, and whose services in the great cause of American liberty has justly entitled his name to a high rank among the illustrious statesmen that the Old Dominion has given to the Union. The information that we have at hand in relation to the life of Captain Gaines is very scanty and defective. Fuller and authentic details could, however, we presume, be easily procured; but it is sufficient for our purpose here, merely to remark, that he was a man of great general intelligence, considerable talent, and high character. His appointment to the command of a company, and his subsequent election—upon his removal to the north-west border of North Carolina—to the legislature of that state, sufficiently proves the estimation in which he was held by his friends and neighbors.

On the maternal side, the subject of the present notice would seem to have had still stronger hereditary claims to talent and character. His mother was a woman of unquestionable abilities and strength of mind, thus furnishing a striking illustration of that often-noted and well-established truth, that men distinguished for high qualities of head or heart, have almost invariably had for mothers, women of superior capacity and character. To the early affectionate solicitude and pious care of this highly-gifted mother, may be imputed the strict integrity and high sense of honor and devotion to duty that have ever characterised the son. Her instructions and her example still live in those settled and well-grounded principles for which he acknowledges his indebt edness to her, and to which he may well confess his obligations for support, amid the many trying scenes of his eventful career.

Edward Pendleton Gaines was born in the county of Culpepper, Virginia, on the 20th March, 1777; but shortly after the close of the war, his father returned to his estate, consisting of several hundred acres, in North Carolina. Like thousands of his compatriots, Captain Gaines was a sufferer pecuniarily by the depreciation of the continental currency and the chances and changes of war, and a close personal attention to agricultural industry was his only resource for the support of his family. In the healthy and honorable employments of the farm he was assisted by his son, who, to this early training, has since frequently had occasion to acknowledge the physical stamina and powers of endurance which have characterised his after life.

In his thirteenth year, his father removed, with his family, to Sullivan County, in what has since become the eastern part of the state of Tennessee. If the peaceful pursuits of the farmer had served to favor the growth and develope the strength of the boy, the dangers and labors of his new home served as a still greater stimulus, and rapidly developed in the boy the capacities of the man. An Indian war was raging at that time, and for many

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years afterwards, between the Cherokees and the whites. In the hostilities by which he was surrounded, young Gaines took an active part. It is said, that at the age of fourteen, his skill in the use of the rifle—the great dependence of border warfare, was unsurpassed by the best marksmen of the country. At the age of eighteen. the confidence in his judgment and experience, by those who knew him best, was evinced by his election to a lieutenancy in a company of volunteers, raised for active service against the Cherokees. He remained with this company about four years, when in January, 1799, he was commissioned as ensign in the Sixth U. S. Regiment. The year after the regiment was disbanded, but Ensign Gaines was transferred to the Fourth Infantry, with a commission of second lieutenant.

The active duties of this period of his life did not prevent Lieutenant Gaines from the cultivation of his mind; on the contrary, he was a hard student, especially in the literature and science of his profession, thus laying a foundation for the higher duties to which he was to be called. So highly was his proficiency in the scientific branches of the profession estimated, that in 1801, when Col. Butler was ordered to select the officer best qualified to make a topographical survey for a military road from Nashville to Natchez, he was selected. He was also deputed to the survey of several Indian boundaries among the Choctaws, in which employment he was occupied until the winter of 1804. He performed all these duties in a manner highly satisfactory to the government, and was rewarded by a promotion to a first lieutenancy.

In 1804, Spain refusing to withdraw her troops from the ports of Mobile and Baton Rouge, and there being strong prospects of hostilities, it was deemed necessary to appoint a military collector, and Lieutenant Gaines was chosen for the arduous and responsible station. He was also appointed postmaster, and empowered as special agent by the postmaster-general to suspend all mail contractors and postmasters that he could find in any way aiding or abetting the schemes of Burr. As commandant of Fort Stoddart, he was empowered to afford military protection to the mail and custom-house-officers throughout a vast region of wilderness, six hundred miles in extent, between New-Orleans and Athens, Georgia. In the performance of these delicate and difficult duties, Lieutenant Gaines remained five years, receiving, while thus engaged, his promotion to a captaincy.

It was while thus engaged, that, in obedience to a proclamation of the President, it became his duty to arrest Col. Burr. Though doing nothing but his duty in the case, it was but natural that the friends of Burr should feel a degree of enmity to so efficient an agent in his arrest and trial, and for some time Captain Gaines was an object of calumny and abuse.

At the end of his five years' service in the several departments, civil and military, which had been thus imposed upon him by the government, Captain Gaines determined to resign his commission, and devote himself to the practice of the law. But before he could carry this determination into effect, there occurred the strong probability of a war with England, and he was readily induced to change his mind and accept of a furlough of a year, which would allow him to make a trial of the law, and at the same time leave him at liberty to join his corps in the event of the breaking out of hostilities. He accordingly commenced the practice of his new profession in the counties of Baldwin and Washington, Mississippi Territory; but scarcely had he entered upon his duties, when the contingency that had been contemplated happened, and Captain Gaines at once resumed his sword.

Our space will not permit us to follow him through all the details of his early military career. That his services were important and his conduct in the highest degree meritorious, is abundantly evinced by his rapid promotion. In 1811, he was appointed to the rank of major; the next year he

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was made lieutenant-colonel, and in 1813, he was commissioned as colonel. It was with this rank, that on the 11th of November, of that year, he went into the battle of Chrystler's Field, at the head of the 25th United States Infantry. In this sharp and well-contested battle, the colonel of the 25th bore himself with the utmost coolness and gallantry. His conduct is noticed in terms of the highest commendation in the despatches of General Boyd, who commanded upon that occasion.

We must now pass over a short period of time, during a portion of which, Colonel Gaines had suffered from severe sickness, which had prevented him from sharing, personally, in the glory won by his regiment, at the Battle of the Thames, until we arrive at the 5th of August, 1814, the commencement of that brilliant series of actions, which are generally known as the battles of Fort Erie. Promoted to the rank of brigadier-general, our hero had been ordered to take command of the forces at Fort Erie, amounting to about twenty-five hundred men, and to oppose the efforts of a veteran British force, over thirty-six hundred strong, aided by six or seven hundred Indians, to take that important post. General Gaines reached the fort on the 4th, and at once assumed the command, General Ripley being second in rank.

The position of the American forces was upon a horizontal plain, situated on the margin of the lake, at the entrance to the Niagara river, and elevated from twelve to fifteen feet from the surface of the water. The position, possessing but few natural advantages, had been strengthened in front by temporary parapet breastworks, entrenchments and abbatis, with two batteries and six field-pieces. In the north-east angle was the unfinished Fort Erie, with 24, 18 and 12 pounders, while at the south-east angle of the position, near the edge of the lake, was the Douglas Battery, with a small six pounder and one long eighteen. The British, under General Drummond, occupied an entrenched camp opposite Black Rock, about two miles below.

The day after his arrival, General Gaines commenced operations by sending a corps of riflemen through the woods with orders to amuse the enemy's light troops, and to endeavor to draw their heavy columns towards a position where a strong line would be ready to receive them. The riflemen were successful in driving in the British light troops, but could not provoke them to come out from their lines in force. On the 11th, the enemy having received reinforcements, and feeling themselves strong enough to put themselves more vigorously upon the offensive, had cautiously approached to within twelve hundred yards of the rear of the American works, where they had constructed two batteries and erected a wooden breastwork, which enabled them to annoy the Americans without danger to themselves. In examining their works, Captain Birdsall, of the 4th rifle regiment, with one hundred and sixty men, beat in two of their strong pickets, killing ten men and suffering a loss of but one killed and three wounded. On the 12th, there was some sharp fighting. Captain Birdsall had been sent out with a detachment of eighty men, to cut off a working party of the enemy who were engaged in opening an avenue for a battery through the woods. The British were driven from their works, but they were soon reinforced, and an animated contest ensued. In this affair, the gallant Major Morgan was killed. He had been ordered to support Captain Birdsall, and received a ball through his head just as he was giving a signal with his bugle to the Americans to retire from the unequal contest.

For the next two days the enemy kept up an incessant cannonade upon the camp, which was sharply returned by the American batteries. In the afternoon of the 14th, a shell exploded a small magazine in the North-east angle of the camp, which was commanded by Captain Williams. The explosion was tremendous, but luckily not a man was injured or a gun dis-

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mounted. The British were wonderfully inspirited for a few moments, and cheered and shouted lustily; but an answering cheer from the Americans, and the continual thundering of Captain Williams' heavy guns, soon convinced them of the slight injury that the explosion had caused.

It appeared reasonable, however, to the mind of General Gaines, to suppose that the enemy would calculate somewhat largely upon the loss of ammunition that the explosion occasioned, as well as upon the usual demoralizing and dispiriting effects of such mishaps upon soldiers. He felt persuaded that a night attack would be the result, and with that prudent foresight which has always been one of the marked characteristics of his mind, he made preparations for the anticipated assault. In addition to the ordinary precaution of doubling his night guard, corps of infantry were assigned to the support of the different batteries, while the overplus was held in reserve for such occasional service as might become necessary. Had General Gaines been invited to a personal conference with the British General, he could hardly have divined more accurately his plans. The British thinking that they should find an easy prey, advanced to the attack on the night of the 15th. But from this point it is best to let the General speak for himself in the language of his own graphic official dispatch. "The night was dark, and in the early part of it raining, but the faithful sentinel slept not: one-third of the troops were up at their posts. At half-past 2 o'clock, the right column of the enemy approached, and though enveloped in darkness black as his designs and principles,* was distinctly heard on our left, and promptly marked by our musketry under Major Wood, and cannon under Captain Towson. Being mounted at the moment, I repaired to the point of attack, where the sheet of fire rolling from Towson's battery, and the musketry of the left wing of the 25th infantry under Major Wood, enabled me to see the enemy's column of about fifteen hundred men approaching on that point; his advance was not checked until it had approached within ten feet of our infantry. A line of loose brush, representing an abattis, only intervened. A column of the enemy attempted to pass round the abattis, through where it was nearly breast deep. Apprehending that this point would be carried, I ordered a detachment of riflemen and infantry to its support; but having met with the gallant commander, Major Wood, was assured by him that he could defend his position without reinforcements. At this moment the enemy were repulsed, but instantly renewed the charge and were again repulsed. My attention was now called to the right, where our batteries and lines were soon lighted by a most brilliant fire of cannon and musketry. It announced the approach of the centre and left columns of the enemy, under Colonels Drummond and Scott; the latter was received by the veteran 9th, under the command of Captain Foster, and Captains Boughton and Harding's Companies of New-York and Pennsylvania Volunteers, aided by a 6 pounder judiciously posted by Major M'Kee, chief engineer, who was most active and useful at this point; they were repulsed. That of the centre, led by Colonel Drummond, was not long kept in check. It approached at once every assailable point of the fort, and with scaling ladders ascended the parapet, but was repulsed with dreadful carnage. The assault was twice repeated and as often checked; but the enemy having moved round in the ditch, covered by the darkness, added to the heavy cloud of smoke which had rolled from our cannon and musketry, repeated the charge, and re-ascended the ladders; their pikes, bayonets and spears fell upon our gallant artillerists. Captain Williams and Lieutenants McDonough and Watmough, with their brave men were overcome. The two former and

* Orders were repeatedly heard from the British officers to "give the damned Yankees no quarter!"

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several of their men received deadly wounds. Our bastion was lost. Lieutenant M'Donough being severely wounded, demanded quarter. It was refused by Colonel Drummond. The lieutenant then seized a hand-spike and nobly defended himself until he was shot down with a pistol by the monster who had refused him quarter, and who often reiterated the order, "give the damned Yankees no quarter." This officer, whose bravery, if it had been seasoned with virtue, would have entitled him to the admiration of every soldier—this hardened murderer soon met his deserved fate; he was shot through the breast while repeating the order to give no quarter.

"The battle now raged with increased fury on the right, but on the left the enemy was repulsed and put to flight. Hence and from the centre, I ordered reinforcements. They were promptly sent by Brigadier-General Ripley and Brigadier-General Porter. Captain Fanning, of the corps of artillery, kept up a spirited and destructive fire with his field-pieces, on the enemy attempting to approach the fort. Major Henderson's gallant efforts, aided by Major Trimble, having failed to drive the enemy from the bastion with the remaining artillerists and infantry in the fort, Captain Birdsall of the 4th rifle regiment, with a detachment of riflemen, gallantly rushed through the gate-way to their assistance, and with some infantry charged the enemy, but was repulsed and the captain wounded. A detachment from the 11th, 19th, and 22nd infantry, under Captain Foster of the 11th, was introduced over the interior of the bastion for the purpose of charging the enemy. Major Hall, assistant Inspector-General, very handsomely tendered his services to the charge. The charge was gallantly made by Captain Foster and Major Hall, but owing to the narrowness of the passage up to the bastion, admitting only two or three men abreast, it failed. It was often repeated, and often checked. The enemy's force was, however, much cut to pieces and diminished by our artillery and small arms. At this moment every operation was arrested by the explosion of some cartridges deposited in the end of the stone building adjoining the contested bastion. The explosion was tremendous—it was decisive—the bastion was restored. At this moment, Captain Biddle was ordered to have a field-piece posted so as to enfilade the exterior plain and salient glacis. The captain promptly took his position and served his piece with vivacity; and Captain Fanning's battery likewise played upon them with great effect. The enemy were in a few moments entirely defeated, taken or put to flight, leaving on the field 221 killed, 174 wounded, and 186 prisoners, including 14 officers killed and 7 wounded."

Thus ended the crowning battle of one of the most brilliant series of battles of the last war. From the 5th to the 15th, was a succession of separate, distinct and almost daily fights, of which some half a dozen were serious and bloody encounters—any one of which, if it stood alone, would have been enough to have placed General Gaines' name in the very front rank of his profession. Unluckily for the just appreciation of the true nature and importance of the battles preceding the 15th, they were grouped together too closely in point of time, and besides, were lost to popular view in the flashing brightness of the brilliant affair of the 15th. It is necessary to notice this point, in order to understand the exact position of General Gaines as a military man. Let it be recollected that General Gaines' title is not that of the hero of the *battle* of Fort Erie, but of the *battles* of Fort Erie.

The battle of the 15th was unquestionably one of the bloodiest of the war. The British themselves acknowledged that their loss was greater than in any other action. General Gaines' official report does not state the whole of the enemy's loss, which could not, at the time of writing, be fully

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known. It was afterwards ascertained that it was considerably more than one thousand men, including some of their best and bravest officers. In the pursuit of the enemy, the Americans having assumed the offensive in their turn, the instant the British began to retreat, more than two hundred prisoners were captured before the beaten foe could reach the shelter of their entrenched camp. In one of the general orders of General Brown, the commander-in-chief, upon the resumption of his duties, after an illness resulting from a wound, and which had been the occasion of General Gaines' assuming the command, he says: "The discomfiture of the forces under Lieutenant-General Drummond by our brave troops under their gallant and finished commander, Brigadier-General Gaines, was attended with a disparity of loss unexampled in the record of battles." No one will dispute General Brown's judgment in such matters. It must also be allowed, that he was a competent judge of professional character, and there is a peculiar appropriateness in the epithet "finished," which he applies to General Gaines. General Gaines had his rivals in gallantry, but it is no derogation to many distinguished reputations to say, that in military knowledge and inventiveness, (if we may use the word,) he is at the very head of his profession.

From the 15th of August to the 28th, the British kept up occasional cannonading from their batteries, the shells falling with fatal precision into the camp of the Americans. In the mean time, our batteries were not idle; and as the British were constantly receiving reinforcements, General Gaines exerted himself to the utmost to strengthen his works. There were also some smart little affairs in the open ground, between the two positions. Whenever the British pickets came too near ours, they were at once attacked and driven in.

On the 28th of August, a shell fell into the very room in which Gen. Gaines was preparing, at the moment, his official accounts of *twenty-three days'* bloody battles. It struck the floor, and instantly exploded, wounding the General, as was at first supposed, mortally. It demolished his writing-desk, with many of his valuable papers, including the detailed reports and memoranda of the different engagements.

Upon this accident, the command devolved upon General Ripley, the next in rank; and shortly after the commander-in-chief, General Brown, found himself so far recovered as to be able to resume his duties. General Gaines rapidly recovered from his wounds, and on the 7th of October, of the same year, he took command with the rank of brevet major-general of the 4th military division, including the posts at Fort Mifflin, Marcus Hook, Camp Brandywine, New-Castle, and Billingsport.

The public appreciation of the General's gallant conduct in the ever-memorable battles of August, 1814, was expressed in the most enthusiastic terms. Animated expressions of admiration were reiterated from one extremity of the Union to the other. The states of New-York, Virginia, and Tennessee, awarded to him, by unanimous votes each, a resolution of thanks and a sword, while Congress passed a vote of thanks, and directed that a gold medal should be struck and presented to him. On this medal, the device is the bust of General Gaines. The reverse is Victory, standing on a shield, under which are a stand of colors and a halbert, and holding a palm branch in her left hand, as in the act of placing a laurel crown on the cascabel of a cannon, marked R, which is fixed upright in the ground, and is surrounded with a scroll, inscribed "Erie." On one trunnion rests a stand of British colors, and from the other is suspended a broad-sword. By the side of the cannon are a howitzer, helmet, and several balls. Behind the cannon is a halbert.

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It would be impossible, in the limits of a much longer notice than our space will permit us to make of this, to even indicate, however cursorily, the prominent events, of latter years, of the life of General Gaines. We regret this, however, less from the fact, that even if we had sufficient room, we have not at hand the proper materials. That portion of his life which has become history, it is easy enough to get at—while that portion which lives in scattered public documents and the columns of the press, requires the research of the regular biographer, aided by what is in this case wholly wanting—the advice of the subject himself.

There are some subjects which, under any circumstances, would require a good deal of space to elucidate fully, but which, even had we room, we have to decline entering upon in the present article. Such, for instance, as the long-vexed question of rank with General Scott, and the disputes and difficulties of the Florida war, in which it is well known that General Gaines took an active and efficient part. There is also the recent affair of the Mexican war, and of the call for volunteers by General Gaines. This act has been the subject of much recrimination and misconception. Without undertaking anything like a defence of the General, we will simply state the prominent facts, as put forth in a long article of the New-Orleans Delta of June 17, 1846.

On the 9th of August, 1845, the news reached the city that General Taylor and the army of occupation were detained at St. Joseph's Island, and could not reach their place of destination, in consequence of not having the proper means of conveyance; and independent of this, he did not have a single piece of artillery to protect him, in case of an attack from the enemy. On the 2d of the same month, a rumor was in circulation, and fully believed, that General Taylor was surrounded by the Mexican forces; and on the day following, the schooner Belampago arrived from Vera Cruz, bringing papers up to the 23d of July, and despatches recalling the Mexican Consul at New-Orleans. These papers all positively asserted that war had been declared against the United States; and so great was the alarm at Vera Cruz, that the commanders of the American vessels in port, fearing an embargo, made sail in the night. The march of the Mexican troops towards the Rio Grande, and the great preparations making to carry on the war with vigor and activity, were also confirmed by this arrival. On the 15th, Major Donelson, the special envoy of the United States, arrived from Texas, and confirmed all the previous reports—that ten thousand men were *en route* to the Rio Grande. General Gaines, with the foresight of an experienced and cautious officer, after duly reflecting upon all these circumstances, and knowing the imminent danger the army of occupation was placed in, as well as the delicate situation he occupied in relation to the government, promptly made a requisition for a battalion of artillery upon the governor of the state of Louisiana, and forthwith reinforced General Taylor with the same, and also wrote to the governors of the adjoining states to hold themselves in readiness for a requisition by the general government.

The excitement that existed among our citizens, and the prompt and decided action of General Gaines, was at once reported at Vera Cruz; and before the news had reached the city of Mexico, the number of volunteers called for by General Gaines had been magnified to the extraordinary number of fifty thousand. The President of Mexico, crediting these reports, and fearing the downfall of his administration, immediately despatched a courier to General Arista, commander of the Mexican forces, stationed at Monterey, and peremptorily ordered him not to march against the American army, as the "old veteran, Gaines, had ordered out fifty

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thousand troops to the assistance of General Taylor, which, if hostilities commenced, would destroy the Mexican force, and endanger the nationality of the Republic." In strict conformity to these instructions, he gave up his contemplated attack upon General Taylor at that time, and marched to Matamoras, where he entrenched himself.

The friends of General Gaines contend that his prompt action saved the army of occupation from attack under the most disadvantageous circumstances. By others, his movements in connexion with the Mexican war, while in command of the south-western military division, have been censured as transcending his powers, and as unwarranted by the circumstances of the case. No one, however, even of his most inveterate enemies and calumniators, has dared to hint a doubt of the lofty and patriotic motives that actuated him. As to these, there is no question as to the judgment and propriety of his much misrepresented action. Without committing ourselves to either side, or expressing any decided opinion of our own, we may be permitted to remark that General Gaines has the great advantage of his known military skill, experience and foresight, and that the public are much and justly disposed to pin their faith upon the judgment of one who has devoted his life to military matters, and who has always evinced a comprehensiveness of intellect, which is not always found connected with great gallantry, or even high scientific attainments. There is no danger, then, but that his country will do him full justice, and that General Gaines' conduct, in relation to the calling out of volunteers, will ultimately be fully appreciated and understood.

We have adverted several times to the admitted professional knowledge of General Gaines, as indicated by his conduct in the field, and by his many valuable suggestions and inventions in relation to military affairs; but that is by no means his only prominent characteristic as an officer. He is as noted for his undaunted gallantry and indomitable perseverance and energy, as for prudence and skill. It is said by those who know him best, and especially by those who have served with him in the field, that if it were necessary to select from the whole length and breadth of the land, a man to lead a forlorn hope, in some case when the chances would be a thousand to one against the success of the attacking party, General Gaines would be, at this moment, the very best man. In private life he is no less noticed for his urbanity and gentlemanly bearing, than for his power of attaching to him hosts of warm personal friends. Long may he live in health and strength, the object of affectionate respect to the people whom he has so ably and so faithfully served.

General Gaines is now in command of the northern division, and his residence is the city of New-York, although at this present writing he is at New-Orleans, where, as is well-known, he has, in right of his wife, recently acquired an estate variously estimated at from ten to twenty millions.

It is impossible to furnish a notice of General Gaines, without, at least, some allusion to a subject which is of the greatest importance, and which has occupied a great deal of his time and attention; we mean the subject of national defence. Unfortunately, neither our space nor the materials we have at hand will permit anything more than an allusion to it. To the elaborate and comprehensive plans of General Gaines for harbor defences and for a system of fortifications, combined with railroads, we should not be able to do full justice, without a better knowledge of the details than we pretend to possess; we shall, therefore, have to defer the consideration of this interesting subject to some other opportunity, when we shall be better prepared to treat it in the manner its importance demands.

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TEXAS.

The land of loveliness and genial clime,
And healthful airs that check the march of time;
Where spreads the prairie, nature's own great mead,
Inviting her untamèd ones to feed.—
The wild mustangs, with free and floating mane,
Like cavalry, career along the plain;
The large-eyed, graceful deer, with antlers back,
In wrapt suspicion hears the rifle's crack;
And heavy, fierce-eyed, shaggy bisons, make
The prairie like a shaken carpet quake,
As, all before them beating down to crush,
On in vast droves tumultuous they rush.
Vast prairies, stretching to the utmost verge,
In billowy motion, heave with ocean's surge,
As sweeps along the pliant grass the wind;
Or spread with flowers, countless in their kind,
Whose varied hues and richly brilliant dyes,
In gorgeous beauty meet enraptured eyes.
Of oak-crowned hills, from out whose verdant sides—
O'er which the creeping shadow slowly glides—
The silver-threaded brooklet gently wells
To darkly green and coolly silent dells,—
As childhood's silver tones will carry light
To older bosoms wrapt in earthly night.
And, shutting out external nature, there
Those little worlds, secluded and most fair,
Where circling dells, with hills for guardian towers,
Form amphitheatres adorned with flowers.
Now, having scaled and passed the wooded top,
Check thy descent, and, lest thou trespass, stop;
And casting o'er the blooming scene thine eyes,
Behold enclosed an earthly paradise!
Here with the sward far down beneath the feet
Upon the grassy hill side take thy seat,
Near where from rock to rock down drips a rill,
And yield thyself to fairy-working will.
For in that grove so greenly foliate
Queen Mab, mayhap, is sitting now in state;
And each wild violet and flower leaf,
And slender spire and blade of grassy sheaf
That covers o'er the space from central grove,
Her throne-seat, to the lilly scented cove,
Her fair domain, sun shades a vassal who,
Whate'er she wills, at her command, will do,
A legion round thine ears will swarm; and tones,
As fine as yield the threads of silk worm's cones
That vibrate to the rose leaf gently waved,
Will weave around the brain thus fay-enslaved,
Strange fantasies, ne'er told: Then thou wilt dream
Dreams delicate, that, as thou wak'st, will seem
Like glimmering far floating gossamer,
Just vanishing, while gentle zephyrs stir,
And through the meshes play so soft an air,
'Twill leave a doubt if sight or sound were there.
Now, lest perchance, you may not have been [shown
The fair construction of the tiny throne,
Give fancy rein, while you observe it framed
Of bones from limbs of crickets early lamed,
That yield, because but dwarfish growth they gain,
A polished ivory of finer grain.
Her softly-cushioned seat, plush-covered see,
By golden back of new-fledged humble bee.
'Tis stuffed with down from under wings of flies,
And lashes fringed their microscopic eyes.
Affixed at hand is a musquito's bill,
To sheathe the sceptre waved to mark her will.
Young spiders' webs in interwoven plats,
Embroidered, beady, with the eyes of gnats,
About the throne in draperies are hung,
Where often play the noble fairy young,
And, when the court no stately council holds,
Glide in and out at peep among the folds.
A soap-blown bubble rising clear and bright,
Whereon the sun had thrown prismatic light,
Was hemisphered by art of dext'rous fay,
To overcanopy a seat as gay.
For he, from off a plum, untouched and ripe,
Did all the bloom as delicately wipe,
Then with the pinky extract of a rose,
The yellow in a lily's pollen grows,
And many other tints and hues as nice,
For none of which h. culled a color twice,
Compounded dyes, and with a brush of down
From thistle top by gentle south wind blown,
Illuminated all most gorgeously
In strange design and rich variety.

Four elves did in their travelling dress enrobe
And visit each a quarter of the globe.
One, where the sun with tropic rays of fire
Dyes deeply brilliant nature's whole attire,
From richly-colored caterpillar stripped
The well-furred skin, and homeward lightly tripped;
Then spread a carpet thickly velvet raised,
Whose yielding softness Mab has often praised,
When, crossing to the throne to take her seat,
'Twas lightly trodden by her tiny feet.

One, in the region of the shortest day,
Sought some ephemera at transient play;
Rudely enforced until a tear was shed,
Pricked wing of each until a drop it bled,
And then by some peculiar elfin spell
Enhardened them to jewels as they fell,
Of pearls and rubies; some, a moment seen
To touch a mossy tuft, turned emeralds green.
Another ranged throughout the fairy race
And sought the loveliest virgin form and face,
Then brought an icicle, that pendant clung
To lily's lip, where, just new froze, it hung;
Upholden to her gaze, each glance of light
Did melt a drop became a diamond bright:
Th' admiring glance detached a brilliant gem,
The crowning lustre of Mab's diadem.
A glow-worm took, its brightness to condense
Into the sapphire of a glow intense:
A portion of the same to opals turned,
That changeful with their hidden fires have burned.
One sought a cave where lasting darkness dwelt,

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And by a running stream herein he felt
A tender plant on which a worm was fed,
That spun a floss he took for silken thread,
And wove it in a velvet robe, embroidered o'er
With jewels from the others' brilliant store.

Begun at eve, when first the morning broke
Their fairy work received its final stroke.
Then in a dew drop bathed, and sought repose
There where the sensitive mimosa grows,
That sheds around a honied sweetness, while
No human step its leaflets can beguile
From instant closing; sensitive in dread
Of touch more heavy than a fairy's tread.
Thus robed and crowned, enthroned without a mate,
Mab issues laws that guide the course of fate.

Alone in the wide prairie often seen,
The giant oak, with foliage ever green,
And rugged, wide extended arms and hands,
Sole, like a vegetable monarch stands.
Indignant, that her laws extend not to
The yearly rifling of his verdant hue,
Nature, by hiding, strives to match its loss,
And robes him in gray draperies of moss.—
Long pendant webs that in the breezes wave,
Like mourning weeds, or willows o'er a grave.

'Tis here the Mexic's broken faith will warn
The honest bosom to indignant scorn.
Usurping all, the despotism of arms
Fills all the land with terrible alarms;
To crush their civil rights its power will lend,
While to its rule religion's self must bend.
Now rousing in its course indignant ire,
Resisting cry speeds on like mountain fire;
For Saxon blood will own no foreign sway—
In scorn it spurns a mongrel herd away.
Her youthful arm feels nerved with virtue's might
To crush oppression and maintain the right;
And Texas struggles with the tyrant power,
While thickly-gath'ring clouds above her lour.

Where gently swelling plains and wooded slopes
See tender fawns disport like childhood's hopes;
Where tall pecans, symmetrical, abound,
To scatter lavishly rich fruit around;
When Autumn, the alleviater kind
For winter's harshness, calls the rattling wind,
The laden branches to divest of food,
Sustains the tribes that dwell within the wood;
And in its scattered growth, not seen to meet,
Is found the solitary rough muskeete:—
These own the name of Goliad, and seem
A scene too fair for deeds will make our theme;
But share them with the crumbling walls of rock,
That witness ruthless War's destroying shock.
Exposed to tenfold force on ev'ry hand,
The gallant Fannin and his men here stand.
Unfortified, the contest they maintain,
While still the enemy achieves no gain.
The day has passed, the night, another day,
Nor yet expected succor comes; at bay
The enemy still kept, at length propose,
Surrendered arms, th' unequal strife shall close,
And gain an honorable safe return,
On faith of Mexic honor pledged and sworn.

What makes them dupes of treachery most base?
Honor their own, they deem it has a place
In every bosom; generous and fair,
Accord an enemy an equal share.
In trusting faith, behold their arms now stacked,
And Fannin's men drawn up in line exact,
Prepared upon the word to march away
Before the truce-bound force of full array.
"Onward, march!" their brave commanders cry,—
When murderous vollies ring a fierce reply!

Hold, tigers, demons! horror, can it be
The brave defenceless butchered thus we see!
A thousand bullets pierce their breasts exposed,
A hundred brave men's eyes in death are closed.
In heaps of slain they're strewn along the field,
And human blood with horror stands congealed;
While Honor, Hope, and Mercy, all are flown
Before the savage massacre made known.
The tyrant's bloody mandate will consign
Sant Anna's name to infamy condign,
And heaping high the measure of his crimes,
Will stamp him murderer throughout all climes;
And brand with treachery the Mexic name,
To hand it down despised, accursed of fame.

In peaceful times the muse neglects to sing—
Heroic deeds should make th' empyrean ring.
A slender band of seven score in all,
Within the Alamo's extended wall,
In its defence contends with thousands two
Of Mexic's best, in conflict long since new.
For fourteen days these valiant men defend
The crumbling walls against the host they send;
Whose heaps of slain the firm repulses own,
Each thundering assault is calling down.
The lion-hearted more than spartan band,
Their ammunition spent, now hand to hand,
As back to back they form an iron wall,
And sternly "Fannin" to each other call,
In fierce encounter with the swarming host,
Deal trenchant blows that each a death sigh cost.
This terrible and giant handed strife,
Of one to many, and of knife to knife,
Sees men fall fast as leaves in autumn storm,
And round the band a bloody rampart form
Of Mexic bodies, hideous to the sight,
From o'er whose awful, bleeding, quiv'ring height,
The foe, its steep not daring to surmount,
While yet the band a score of braves can count,
Discharge their vollies, rattling iron hail
Against those breasts the death pang cannot quail.
Now, fiercer yet, the last heroic few,
Still to their cause and to each other true.
Advance, contract, assail, and wrest the arms
From shrinking foes, fall back in dread alarms
Before the bloodstained angry brows, and eyes
Flash lightnings, thundered by their battle cries.

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And thus at bay, with bold front still opposed,
As closer still the narrow circle 's closed;
Each valiant heart the more determined grows,
Until the last man dealing last fell blows,
Sinks slowly down beneath a mound of foes.
Far tyrants listened to the awful tale,
And quaked with dread, with fear turned deadly pale,
Convinced that votaries like these would yet
Bring Freedom triumph while their suns would set.
In homes o'er which the star-striped banner waves,
Loud wailing rose for the unburied braves;
And freemen swore by Liberty's great cause,
To cease enjoyment of her gifts, nor pause
Until, as dread avengers, they should flood
The stains were left by Crockett, Travis blood
With streams as crimson, and dispense the meed
Of coward triumph and demoniac deed!

Where San Jacinto's placid waters flow,
In silence calm, majestically slow,
That scarcely lends a ripple to reply
To wooing sound of prairie hen's dull cry,
And fringe with varied blue and silver sheen,
Extended plains all dyed with emerald green:
There, Texas musters seven hundred strong,
To yield award for unredressèd wrong,
And on a force, their own outnumbers twice,
Wreak deadly vengeance at a bloody price.
And now the thunder of the charge resounds
Along the prairie and the foe confounds,
As onward, to the cry of "Alamo,"
They fiercely rush on hated Mexico.
Their righteous cause each arm lends double force
To carry all before them in their course,
While that fierce battle cry conveys dismay
To conscious hearts that fear the awful day
Of retribution is at hand for deeds,
Dressed horror-struck humanity in weeds.
Continuously, fiercely, ebbing none,
The tide of battle rapidly rolls on,
While hot discharge and fiery charge proclaim,
The fury lent by Goliad's red name.
Not long in doubt which side the battle wins,
For soon the foe gives way, the rout begins.
Jacinto's plain with fugitives bespread,
And strewn along with dying and with dead;
Jacinto's waters stained with Mexic gore,
All clearly mark the chance of battle o'er.
Though all betrays a terrible defeat,
As yet, the victory is incomplete.
The leader general and head of state,
The special object of their honest hate,
The cruel tyrant, Santa Anna 's flown—
Search, scour the prairie till his fate be known!
Nor sought in vain, ignobly hidden, see
The coward warrior taken from a tree.
Their pledge redeemed, to win in freedom's cause,
Complete their triumph, yet not here they pause.
With magnanimity, that christendom
Astonished, deems an act of time to come,
The captive to his country they restore,
And send him free from their self franchised shore.

Triumphant Mercy waving high her wand
In joyful recognition of her hand,
Presiding Liberty looked down and smiled
Her approbation on her new born child.

Ensanguined by the blood of heroes shed
On fields of Alamo and Goliad,
The lone star rose above the horizon,
All redly glowing as the rising sun.
High chivalry had shed its proudest glow
On what was deemed the fierce and bloody throe
That marked its rise, and gave a nation birth,
Would rank among the loftiest of earth.
High hopes and cheering prophesies went round,
Of good, with which the nation should abound,
And brilliancy where erst was painful gloom,
The galaxy of nations would illume,
And countless glories that would emanate
From the lone star when it should culminate.

Let none gainsay the glowing prophesy,
Nor droop despondingly, and say that she,
Demeaned, has stooped from her high course to rest,
And 'neath the eagle's wing has hid her crest.
If moved by order, heaven's primal law,
Victorious her cause, soon liberty foresaw;
Then called the infant state to take her place
Within the ranks of kindred blood and race.
Where strength in union, and the love begot
By kindred language, customs, birth and lot,
Ensures the band of states successful fight,
And progress swift for freedom and for right.
No longer lone, the star with others forms
A constellation unobscured by storms;—
All prondly onward, in her cause now led,
By liberty, their light-dispensing head.

O, great Columbia! what wilt thou be?
Ere Truth supreme can say to Liberty;
Hail to thee handmaid! best and chiefest hail:
The work is done that henceforth cannot fail!
All hail to thee! rewards and thanks for aid;
Progressive man, his debt to me hath paid.
Humanity and science have combined,
By moral force to franchise all mankind;
And unrestricted peace-born intercourse,
Has fought thy battles, voiding war's ill force.
Among earth's nations eldest of them all,
As answering earliest to freedom's call;
And greatest, chiefest, loved of all the best,
As ever taking others to thy breast,
To share with them the blessings are thine own,
Blessings that with thy rapid growth have grown,
Still shielding them from rude oppression's force,
While leading onward in thy lofty course.
This shalt thou be, and over all the land
Extended wide a free, fraternal band,
Thy boundary shall reach on either side
The broad Atlantic and Pacific tide:
A mighty beacon whose far forking flames
Shall light the sacred fire within new fanes,
Whose clear muezzins challenge and refrain,
Will sentinel the earth in one great chain.

January, 1846.

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FINANCIAL AND COMMERCIAL REVIEW.

During the month, affairs have turned mostly on the nature of the advices, which almost weekly reach us from Europe; and our dates down to the 5th May, are of a nature to hold out no encouragement. Commercially, they are by no means favorable. England indeed remains quiet; but the utter dislocation of business relations, growing out of the affairs of the continent, is gradually working out results that cannot but be disastrous. The aspect of affairs in Europe is such as to make fears of a general war more reasonable, and of course commercial credits are on the wane. In Paris, as a centre, the course of events are downward. Parisian credits are utterly unavailable in all the cities of the continent. No one will trust paper payable there, as well from fears of non-payment as in respect to the medium if actually paid. Those who have made Paris a place of residence, have left in great numbers, as well from fears of the future as the difficulty of realizing remittances; and daily the desire to realize property and emigrate seemed to increase. There was no disturbance, but a quiet "rush to get out." The affairs of the Bank of France are indicative of the general course of things. That institution suspended March 15th, pursuant to the decree of the government, and its leading features have been since reported as follows:

BANK OF FRANCE.

	March 15.	March 22.	April 1.	April 13.	April 20.	April 27.
Protested paper fr.	524,747	2,704,274	7,143,579	9,410,749	9,162,600	19,655,541
Over due "	5,676,199	9,743,050	19,805,489	17,636 547	22,899,104	14,061,804
Discounts	303,377,610	301,159,031	275,696,537	279,007,903	271,066,602	187,018,796
Specie	123,843,509	108,243,516	96,834,947	92,344,196	88,739,135	88,705,534
Loan to government,	——	——	50,000,000	50,000,000	50,000,000	50,000,000
Circulation	275,440,512	285,080,902	302,652.695	311,320,800	310,054,592	317,990,350
Deposites	81,617,659	77,272,963	65,454.515	61.747.940	59.442,981	61,520,282
Deposites, government	42,255,092	19,750,754	49,331,669	43,977,428	36,885,365	26,360,908

These features develope prompt and speedy ruin. The overdue paper increased 20,900,000f., of which 9,000,000f. was protested in four weeks. Ten per cent. of the discounts remained unpaid as they fell due! This shows the general non-payment of debts. If that amount represented altogether dishonored bills, it would certainly be greater than usual. Yet it is well to remark, that it would be far below the sum which was attained from 1830 to 1831. On December 27, 1830, the amount of dishonored bills was 4,112,000f., and the year 1831 carried it to 5,202,000f. But the loss of the bank was then not one half of that sum. In the same time, week by week, the specie diminished 30,000,000f.; the circulation increased 36,000,000f. by loans to the government, and withdrawals of individual deposites; and the notes were at 3 per cent. discount. It had been proposed to extend the circulation to 700,000,000f., double the amount which the government guaranteed should not be exceeded. The decrease of deposits, amounting to more than 25 per cent., is, under the circumstances, when money cannot be employed, a positive indication of the want of confidence. In times of prosperity, the amount of private accounts is not so great. Revolutions in general cause funds to flow into the bank, because, of all places of deposit, it is the surest. In 1830, the accounts current were 79 millions, and during the agitations of 1831, they reached 106 millions. During the year 1847, the average amount of the accounts current, was 50 millions; in 1846 it had been 60 millions. The bank, in moments of difficulty like that which it is now passing through, has a credit superior to that of the state itself. And the general fall in all property, particularly stocks, caused by the anxiety to sell, is estimated in *La Presse*, according to the prices of February 23d and April 13th, as follows:

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	Value at prices of Feb.	Value at prices of April.	Loss.
Public Funds	f. 5,757,379,056	2,468.583,245	3,288,795.811
Bank of France stock	223,060,600	76,380,000	146,680,600
Railways, 6 lines	325,892,500	110,640,000	215,252,500
" 11 "			110,632,000
Other stocks, canals, bonds, mines, &c			1,000,000,000
Total depreciation			f. 4,749,060,811
Equal to			$890,444,776

This is a real loss—but has not as yet been experienced by a majority of holders, because they could not realize at all. As long, therefore, as they continue to receive dividends, the property is to them good; but these dividends are now payable in a paper rapidly depreciating; and by reason of the desire to realize all descriptions of goods, the prices yet keep low. It is to be remembered, however, that production is nearly stopped, while exportation, to obtain money, and consumption, are rapidly dissipating existing stocks, and the capital of the country is disappearing. When scarcity of goods and produce succeeds to depreciated paper, the actual loss above estimated will be felt. In the meantime, the revenue for the 1st quarter of 1848 has declined over $16,000,000, as compared with last year, although two-thirds of the quarter elapsed before the revolution. Means of expenditure is the only support to the existing government. These are matters not easy to accomplish; and a year will be a short time in which to perfect it, if done at all. How can the present provisional government maintain order during that time, amid all the strife to which the debates in convention will give rise? This is the source of solicitude.

The demonstration of the disorganizers under Ledru Rollin, and its suppression by the friends of order, affords a parallel to the Chartist display in London, the effect of which has been to restore confidence, in some degree, in the stability of England; or rather, to check for a moment, the progress of disredit. From all parts of Europe, the English gentry and nobility have flocked home, accompanied by refugees of all nations, not excepting Prince Metternich. By this means, a demand for English funds by foreigners had sprung up, not sufficient, however, to sustain prices, while the large expenditures of those wealthy classes that have heretofore been made upon the continent, are now enlivening the home trade of English cities, and giving the appearance of an improved business. This, however, is deceptive; the trade of England, and the employment of her people, does not depend upon the home trade; which, however, subsequently declined, under fears of popular dissatisfaction in the large towns. The cotton trade affords an instance. The total manufacture of 1847 was £32,467,000; of this, £22,900,000 was exported—a very large proportion to those European markets now closed, and the number of hands out of employ was on the increase; those mills in operation were only encouraged to accumulate stocks of goods by reason of the remarkable cheapness of raw material, money, food, and labor. All of which concurred with the improvements in machinery to produce cotton, linen, and woolen goods at prices far lower than ever before. Nevertheless, there was no adequate vent for goods, and therefore the great business of England was not on a healthy basis.

Money continued to accumulate in the hands of lenders, and the rate was 2½ a 3½ per cent. per annum, without the slightest disposition to embark in any enterprise, notwithstanding the cheapness of goods and produce. The markets were, indeed, pressed with merchandise from the continent, sent to realize. It is known, however, that immense losses have been incurred by the revulsion of the past year, and that following those disasters must come a flood of dishonored bills from the continent; the effect of which is yet to be seen. Hence there is ample ground for distrust; and should the fears that are entertained of a short harvest be realized to any extent, an awful state of affairs would follow.

There was some increased disposition to invest in American stocks; but the chief difficulty seems to be the want of coupon stocks transferable by delivery. The ceremonies attendant upon book transfers, are fatal to an active business. A considerable amount of

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stocks has been forwarded, however, to London for sale; and they will doubtless find buyers at an advance. The new United States coupon stocks will doubtless be the favorites.

The drain of specie, which has taken place for European account since the commercial revulsion in England, followed by political revolutions in Europe, injured paper credits as a means of remittance, has been large, and has operated powerfully upon bank credits in New-York The liabilities of the banks of the state, at the date of their last report, March 4, which unhappily does not see the light until long after it ceases to be of any practical benefit to the mercantile community, were less than at any time since 1843, having undergone a great reduction since November. The immediate means and liabilities were as follows:

IMMEDIATE MEANS AND LIABILITIES OF THE NEW-YORK BANKS.

Immediate Liabilities.	Feb. '47.	Nov. '47.	Mar. 4, '48.
Deposites	31,830,565	35,096,818	28,718,324
Nett circulation	17,699,739	23,816,881	19,694,380
Due Banks	4,995,411	6,308,777	4,444,039
Canal Fund	911,680	5,603,119	1,787,807
United States	342,766		
Total	55,780,181	60,825,595	54,644,550
Immediate Means.			
Specie	9,191,254	9,107,920	6,722,326
Cash items	7,552,068	8,703.577	6,118,086
Total	16,743,322	17,811,497	12,840,412
Excess liabilities	39,036,859	49,014,098	41,804.148
Loans	69,806,358	80,258,529	73,921,811

It is to be regretted that the Comptroller does not exercise the power conferred upon him in relation to bank returns, with the view to impart useful information to the public rather than to accommodate individual banks. The law of December allows him to call for the returns on any day during the quarter; and makes it obligatory upon him to publish it before 25th May, August, November, and February. This quarter he called for March 4th, and it was published 70 days afterwards, when the whole face of affairs had changed. It should have been published the week it was made; a very little method in arrangement would enable it to be done. The movement of specie of this port between Nov. 1 and March 4, when the above returns were made, was as follows:

MOVEMENT OF SPECIE—PORT OF NEW-YORK, NOV. 1 TO MARCH 1.

	Import.	Export.	Nett Export.	Duties paid.	Tot. dmd.
Nov.	58,915	1,455,946	1,397,031	1,024,766	2,421,797
Dec.	39,712	1,888,867	1,849,155	856,576	2,705,731
Jan.	48,030	1,183,517	1,135,485	2,305,017	3,440,502
Feb.	49,502	433,226	383,724	2,416,497	2,800,221
Total	$196,161	4,961,556	4,765,395	6,602,860	11,368,251

Between the dates embraced in the table. the city banks were called on for $11,368,-251, exceeding by $2,200,000 the amount they held in Nov. The March returns show that this demand decreased the amount in vault but in round numbers, $2,500,000; but the distrust growing out of the state of affairs abroad. had greatly accelerated the usual diminution of credits in the winter quarter. The loans declined $6,000,000. The change in these items is remarkable, however, as showing the contraction of general business, and the degree in which the bankers themselves used the funds of the concern. The items of discount were as follows:

	To Brokers.	To Bank Directors.	To the Public.	Total.
Nov. 1	1,545,242	4,574,856	74,438,431	80,258,529
Nov. 13	1,960,464	4,588,259	76,012,891	82,561,614
March 4	2,148,183	5,679,215	66,094,413	73,921,811

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The loans to the public decreased $10,000,000, and the high rates of money consequent upon this contraction enabled directors and brokers to employ the bank funds at rates profitable to themselves; and they have had $1,700,000 of money to shave the notes at 2 per cent. per month, which their own votes caused the banks they direct to throw out. This state of the market, with the government demands for money, have reduced the individual deposites over $6,000,000, and the balance due other banks was reduced near $2,000,000, while the amount of currency, as furnished by these banks, was reduced $4,200,000, or 17 per cent. Thus the means of the banks to lend, being deposites from banks in other states, individual deposites and circulation, was reduced over $12,000,000, and they reduced their loans but $8,000,000 in the aggregate, showing that they were not much alarmed. Unfortunately, it happens, through the singular conduct of the comptroller, that the returns were made at a crisis, 70 days ago. At that moment, the effects of the English commercial revulsion were passing away. The export of specie for March had been small, confidence in paper was returning, and exchange falling in price, so as to lead to the hope of renewed imports of the precious metals. Since then the whole face of affairs has changed. Revolution has burst over Europe again, dealing a severe blow at credits, paralyzing exports, making paper worthless as a remittance, and imparting a new impulse to the precious metals, the movement of which, since March 1st, has been as follows:

MOVEMENT OF SPECIE IN NEW-YORK, MARCH 1 to MAY 11.

	Import.	Export.	Net ex't.	Duties.	To. d'md.
March	22,781	452,507	429,726	1,553,003	1,982,729
April	65,917	1,180,422	1,124,505	1,686,506	2,811,011
May	18,280	1,600,000	1,681,720	554,875	2,236,595
Total	$106,978	3,232,929	3,235,951	3,794,384	7,030,225

The export of specie since the return of the banks has been four-fifths of the amount before the returns, and the whole demand exceeds the amount they held March 4th, and this would have reduced the amount on hand to a very low figure, but for the fact that exchanges from every point are in favor of this city, and the rate of specie here has advanced so as to give an additional impulse to the receipt of the precious metals from the interior. It is at once evident that, if the Comptroller had managed his power properly, we should now have had a bank return for the 1st of May, instead of the first week in March. The mercantile community would have had figures showing the practical operation upon our currency of the disastrous events in France. As it is, we have the evidence in the specie movement alone that a crisis is approaching. The country bank credits are very much extended, while bills sent here for sale are unavailable, and the drain of specie is severe, notwithstanding that it has been so checked by the operations of the Federal Treasury. The specie paid into the Custom House is promptly liberated by drafts from the department in favor of government creditors, and filters back to bank vaults through the channels of business.

There have been many rumors of bank failures in the interior, including the State Bank of Indiana and the banks of South Carolina—showing the duration of the public fear. A run upon the Bank of Mobile was also sustained. The low prices and difficult sales of produce check the accumulation of credit in favor of country institutions; and this effect is enhanced by the difficulty of regulating foreign bills sent here for sale. The condition of many of the banks of the interior is such as to awaken fears that they may not be able to stand a heavy pressure, more particularly those that may be said to have had a political origin.

We have frequently had occasion to allude to the condition of the banks got up in Ohio under the General Banking Law of 1845. The affairs of the Bank of Wooster, recently failed, are a singular illustration of the manner in which these so-called banks are made the instruments by which speculators get possession of the produce of the farmers for promises that are never paid in the end. Mr. Joseph S. Lake was formerly canal commissioner of Ohio, and became the largest stockholder in the Bank of Wooster, an institution

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never in good repute, and which was on the point of failing three years ago, together with the Norwalk and Sandusky banks, in connection with the exploded bubble, called the Bank of St. Clair, Michigan. The capital of the Wooster Bank was $249,450; of that there stood in Mr. Lake's name $171,900. Mr. Lake then moved to New-York, and commenced business as a broker, under the firm of J. S. Lake & Co., in Wall-street. The Co. was his son-in-law, O. Klemm, who was doing business in Cleveland, under the firm of O. Klemm & Co., the Co. being J. S. Lake, in New-York. Klemm was also cashier of the bank. These gentlemen performed all the business of the bank, that is to say, Mr. Klemm purchased with its means eastern drafts, and sent them to Lake for collection. Lake making his returns occasionally, the other directors knowing but little of the transactions. The amount of funds in the hands of these gentlemen were as follows:

Bills of exchange, with J. S. Lake & Co.	$89,759		
" " O. Klemm and Lake	50,428		
State stocks, with O. Klemm and Lake	57,665		
Other assets " "	342,188		
Total with Lake & Co.			$540,000
In bank, specie and notes of other banks		$92,560	
Real estate		19,244	
Total in bank		116,925	$228,729
Total assets			768,729
Circulation	$462,228		
Deposits	30,175		492,403
Capital, &c.			$276,326

With this large amount of the means derived from the Wooster Bank, Lake & Co. speculates in produce, on which they acknowledge a loss of $150,000, and they *started three other Ohio banks, besides buying the Mineral Bank of Maryland and a bank in Texas.* The last returns of the three Ohio banks, were as follows:

	Discounts.	Specie.	Circulation.	Deposits.
Canal Bank, Cleveland	$76,512	15,026	51,678	40,439
Bank of Akron	247,238	63,373	200,000	56,526
" Toledo	322,506	65,741	222,500	59,961
Total	$646,256	144,140	474,178	156,926

The Canal Bank is an independent bank, and the other two are branches of the State Bank. The law of Ohio requires the independent banks to deposit with the State Treasurer, stocks to cover the circulation. The law also specifies as follows:

"Sec. 56. Actual deposits with any solvent bank or banker, of established credit in the cities of New-York, Boston, Philadelphia or Baltimore, subject to be drawn against at sight, in gold and silver coin, shall be deemed equivalent to gold and silver coin whenever used in this act."

Hence, the specie in these returns probably means Lake's paper; we now observe that the foundation of the whole is $171,900 of stock owned by Lake in the Wooster Bank. It is possible that not a cent of money was ever paid at all, but stock notes given. The Bank of Wooster borrowed, it appears, of the public, mostly of poor people, on small bills, $492,403, and Lake & Co. held $540,000 of this money, borrowed of the farmers, through the agency of a bank, or they had $369,000 out of the bank more than they professed to have put into it. Included in this $540,000 was $57,665 Ohio state stock. This was deposited with the State Treasurer, as a basis for the Canal Bank of Cleveland, and $51,678 more notes issued to the public for it. With the other funds the Akron branch and the Toledo branch were started—$422,500 more notes issued to the public, besides the issues of the Texas and Mineral bank. Here, then, Lake & Co. had borrowed of the public on small notes through four banking machines, one laying the foundation of the other, $936,398. For these issues they obtained large quantities of produce of the farmers, on which they met with disastrous losses, and the notes cannot now be redeemed. We have thus entered into details in order to illustrate the whole operation of this bubble banking.

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The general law of Ohio was got up for the especial purpose of obtaining from the farmers their produce for promises; the latter to be paid if the operation proved successful, if not, not. While these notes were being paid out for produce, the operators took credit to themselves for patriotic motives in "furnishing a currency to Ohio," "protecting her people from the operation of bankers in other states," and a thousand other specious pretences by which the industrious were inveigled into parting with the products of their industry for the promises of men utterly irresponsible, and without any correct idea of sound business principles whatever. The remaining banks of Ohio are in but little better condition. From the very nature of their organization, they must of necessity be bubbles. The quantity of imports this year will be fair, but they sell at low prices, and have not been profitable to importers. Nevertheless, they would, under the pressure, have been larger, but for the prospect that productions will be diminished.

The amount of goods imported at New-York for 6 weeks, ending May 13, as compared with the same period last year, is as follows:

IMPORTS PORT OF NEW-YORK.

	Specie.	Free.	Dutiable.	Total.	Duties.
April	65,917	475,314	6,639,767	7,180,947	1,686,506
May 6	9,280	372,067	959,095	1,340,442	254,875
May 6 to 13	27,089	414,172	1,219,633	1,660,894	316,359
Total	102,286	1,261,553	8,818,444	10,182,283	2,257,740
Same time in 1847	3,900,017	2,264,685	10,868,815	15,033,517	2,853,492
Decrease	$3,797,731	1,003,132	2,050,371	5,851,234	595,752

The whole amount of imports is less by 32½ per cent. than last year. The falling off in the dutiable goods is, however, but 20 per cent. The decline in free produce bears the greatest proportion to the whole diminution. Notwithstanding this small supply, and the activity and promptness of the country dealers, goods have not fully remunerated the importers. The absence of speculative action here, and stringency imposed upon the money market through the state of European affairs, has prevented that free action of the banks, which otherwise would doubtless have stimulated the disposition of the jobbers to compete for business on terms of credit. There are many dealers of large capital, who can command business, because they have it in their own power to extend the time of payment, and very many dealers who have not such means, ruin themselves in attempting competition. It is obvious that no man can borrow capital at current rates to compete with him who seeks only to earn an interest on his own capital. The insurmountable difference between those parties is 7 per cent. The remedy must be found on the part of the buyer; who will not find it to his interest in the long run, to receive long credit on his bills; prompt sales and payments, with frequent turning of the capital, are found ultimately most advantageous to all parties. Hence, if the dealer with large capital overshadows him of smaller means in the obtaining of business, retribution follows in the shape of greater risk.

The quantity of exports of farm produce from the port of New-York for 7 months, ending with April, show a considerable decline as follows:

EXPORTS OF PRODUCE FROM THE PORT OF NEW-YORK, SEPT. 1 TO APRIL 30.

	1847.	1848.	Increase.	Decrease.
Flour, bbls	1,054,980	292,964		762,016
Rye flour, bbls	12,988	90,555	77,567	
Rice " "	6,759	365		6,394
Meal, bbls	252,275	108,571		143,702
Bread, "	24,608	31,393	6,785	
Wheat, bush	1,422,951	252,655		1,170,296
Corn, "	4,428,580	1,140,038		3,288,512
Oats, "	275,769	19,998		255,771
Rye, "	686,858	9,510		677,348
Barley "	143,747	8,326		135,421
Peas and Beans, bush	79,186	16,107		63,079
Rice, tcs	24,412	14,976		9,436

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	1847.	1848.	Increase.	Decrease.
Pork, bbls	55,616	46,253	.....	9,363
Beef, tcs	4,610	8,092	3,482	
" bbls	21,239	17,746	.....	3,493
Lard, 100 lbs	65,260	70,925	5,665	
Bacon and Ham do	41,268	60,832	19,564	
Butter, 100 lbs	13,184	8,656	.....	4,528
Cheese, "	136,395	106,003	.....	30,392
Tallow, "	36,445	14,325	.....	22,120
Cotton, bales	92,564	134,767	42,203	
Ashes, bbls	9,003	8,161	.....	842
Wax, 100 lbs	3,195	3,458	263	
Hides, salt, No	21,945	270	.....	21,666
Tobacco, hhds	4,863	2,788	.....	2,075
" cases	7,268	5,366	.....	1,902
" manufactured 100 lbs	15,134	12,216	.....	2,918
Wool, 100 lbs	4,088	66	.....	4,022
Hemp, "	8,051	6,184	.....	1,867
Hops, "	9,487	1,981	.....	7,506
Clover seed, bbls	1,463	2,225	792	
Flax, 100 lbs	516	4	.....	512
Lead, pigs	.....	12.147	.....	
Oil, whale, galls	487,279	730,045	242,796	
" sperm "	317,770	63,345	.....	254,425
Whalebone, 100 lbs	11,179	12,926	1,747	
Oil cake, "	88,819	70,445	.....	18,374
Turpentine, bbls	100,233	102,532	2,299	
Spirits do. galls	492,851	379,384	.....	113,467
Tar, bbls	3,505	11,812	8,307	
Rosin, do	35,164	81,776	46,612	

The value of the exports of the port have this year not fallen off in a degree as great as might have been expected from the extreme low price of produce. The article of cotton is an instance which, as compared with the same day last year, stands as follows:

	May 15, 1847.		May 15, 1848.	
	Uplands & Florida.	Mo. & N. Orl.	Uplands & Florida.	Mo. & N. Orl.
Inferior	none	none	4⅜a5	4⅜a5
Ord. to good ord	10⅝a11⅛	11 a11¼	5¼a5½	5¼a5⅝
Mid. to good mid	11¼a11⅝	11½a12	5⅝a6	5⅞a6¼
Mid. fair to fair	12 a12¾	12½a13¼	6⅝a6¾	6½a7
Fully fr. to good fr	13 a13¼	13½a14	7 a7½	7½a8
Average	11⅝a12¼	12⅛a12⅝	6 a6⅛	6a6 5-16

The value is now one-half what it was last year, but the quantity exported is much greater, being since Sept. 1, 1,319,685 bales against 895,069 bales last year. Valueing these at the averages, allowing 400 lbs. to the bale, gives an aggregate as follows:

1847	895,069 bales,	$48	$42,963,282
1848	1,319,685 "	24	31,673,440
Decrease in value			$11,288,842

This represents the decline if the cotton had for the whole period been sold at present prices. The decline has, however, been gradual from prices that were inordinately high at the opening of the season, while in the previous year they rose as the season advanced; hence, the exports of 1847, for the period mentioned, did not bring so much as $42,963,-282, and those of 1848 have brought more than $31,673,440; the value for this year has thus approximated that of last, and it is probably not far from the truth to allow the same amount of money obtained for cotton as last year, while for that money a greater quantity of goods has been obtained, because of the low prices. Nevertheless, the planting interest suffers severely by the present and prospective low price; and this state of things must affect the business from that section for the coming year. The prospect for breadstuffs is better than it was. The quantity required by England will be large in any event, and the state of the continent is not such as to allow large supplies to be drawn thence.

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GOSSIP OF THE MONTH.

THE affairs of the ill-fated Opera Company, of Astor Place, continue to be a subject of interest and conversation with that large and influential class to whom music, and especially dramatic music, is the most attractive of recreations. Long, preposterously long as the season was, the supporters of the Opera seem still to have unsated ears. Like Oliver, they ask for more; but, unlike him, they only ask for what was promised them; and again, unlike him, they ask for that they have paid for. But at present their prospects appear even more meagre than those of the poor charity boy.

Perhaps the delightful re-union is quite as much missed as are the passionate strains of DONIZETTI, or the magnificent noise of VERDI. The tri-weekly assemblage of such an audience as graced the Opera House was in itself no small attraction. It must be admitted that it was very convenient, and saved a world of walking and driving about that wilderness of walls, which newspapers speak of as "our rapidly increasing city." According to the number of acts was the number of calls, more or less formal, which gentlemen could make upon the ladies of their acquaintance; the tender adieus of *Edgardo* and *Lucia* upon the stage were the signal for similar greetings before it, and the exit of *Gennaro* in safety by one door, sent many a gallant into danger by another. VERDI is wise in writing his Operas in four acts instead of three; it is the gain of an interval and a flirtation. His din too, is vastly convenient. What an infinity of sharp shooting from ready lips to willing ears, may not be covered by his continual cannonade of drums, trumpets, trombones, ophecleides, and horns—called French horns, because not invented in France. By the by, we wonder that among the demonstrations for the "organization of labor" in Paris, we have not heard of one by the trombone players, to insist on a salary equal to that of the first violins, during the performance of any of VERDI's Operas. The demand would certainly be more reasonable than many which have been made.

The influence which the charms of the society to be found at the Opera have in attracting people thither, is, strange to say, made a continual matter of reproach by many who profess love for music, and whom the least reflection would teach more liberal views. If they love music, and desire to see it cultivated and enjoyed among us, why do they object to any motive which induces people to pay for its support? If they believe in its refining, humanising influence, why are they not content that others should be brought under that influence by any means whatever? Can they not see that the mere habitual assemblage of ladies and gentlemen in the appliances of evening dress must in itself have a most desirable and mollifying effect upon them? A man's outside has not a little to do with what passes within him, and a change of costume is no small incentive to a change of the course of thought. Full dress is not conducive to a business frame of mind, and it is a sad fact that we are so given to the contemplation of the almighty dollar and the mode of acquiring it, that a genuine philanthropist will rejoice in any means which will produce a wholesome diversion, even should they consist in white kid and patent leather. We hope the day is far distant when our audiences will rush in to take their three acts of Opera as they would to take a "hasty plate of soup" at a chop house; though some of our self-styled democratic lovers of art seem to think that dinner and music should be "bolted" with like lack of ceremony.

Apropos,—how absurd and unwise is the cry of aristocracy raised against the Opera and its patrons; as if elegance were at war with the rights of man, or refined taste in art inconsistent with universal suffrage. How unreasonable, too, the complaints made, because the subscribers have the privilege of selecting their seats for the season. The case is simply this. Money is required in advance for an expensive enterprise, which is a benefit to the public; certain persons pledge themselves to advance this money at the risk

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of losing it, and all they ask in return, is the privilege of selecting such seats as please them, in a place of amusement, which save for them had not existed. It is no privilege; it is a right which they have bought. It is no aristocratic favor, it is the democratic, "first come, first served" principle, applied in its broadest sense. They purchase a seat for the season, by applying and paying for it in advance, at the Opera, just as they would do, if they wished, at the Theatres; only in the latter case they would run no risk, in the former they do. The grumblers by bearing the same expense, and at the same risk, might have equal privileges; but this, either from a lack of taste, money, or generosity, they decline. They might as well grumble at the aristocracy of the millionaire who is able to buy the first salmon, or at the favoritism of the fish-monger who sells it to him.

It is to be hoped that this absurd clamor will not be renewed, and that the subscriptions, if the prospects of the Opera revive—which it is more than probable they will, and vigorously too—will be not only more numerous, but more generally distributed through the wealthy and well educated members of the community. Why do we not see the names of some of that large and highly respectable portion of our citizens, who reside in the fine residences, newly built, east of Broadway? They have ample means; they cultivate music assiduously, as the pockets of our first professors can testify, and yet their wives and daughters, than whom none would better grace an Opera-box, are rarely or never seen in one. Night after night a certain set are to be found at Astor Place, and save about a hundred casual visitors, all are known to each other, at least by reputation. This is not as it should be. The Opera, which does so much, directly or indirectly, to enhance the pleasure and elevate the tastes of all who love music, should not be left to the support of a few.

That the Opera has taken firm root, and will grow among us, is evident from the warm feeling shown towards the artists who have distinguished themselves during the last season, and who made it so brilliant in spite of the imbecile directors and meddling committees which brought it to such a disgraceful and untimely end. Truffi and Benedetti, with others, were entitled by their articles of engagement to benefits, which in the case of the two named great and deserving favorites, would have been worth quite a thousand dollars to each. The subscribers, though twenty nights of the season were yet due and paid for when the house was closed, were anxious that the artists to whose abilities they were indebted for so great and so pure pleasures, should not be deprived of the benefits which are so considerable a part of the emoluments of their profession; neither did they, the subscribers, wish to be deprived of the pleasure of testifying their admiration for their favorites. In particular was this the case with regard to Md'lle. Truffi, whose noble person, charming manner, touching voice, and marvellous powers as an actress, united to her unwearied exertions, and unwavering industry, have made her the delight of the public, as she was the main support of the management. The consequence was that the matter was talked of among some influential musical people, and the benefits proposed to the artists. Md'lle. Truffi, we understand, with a delicacy honorable alike to her good taste and right feeling, expressed an unwillingness to avail herself of her personal popularity, to take a benefit, while so much was still due from the management to the subscribers, and in this sentiment she was joined by her fellow artists. But the Opera-lovers were not to be thus deprived of the pleasure of offering a tribute to their favorite. The lyric-queen deserved a triumph, and they were determined she should have it. That the self-elected cooks had spoiled the broth into which they had thrust their fingers, was no reason that the world should be deprived of a brilliant fete. And so complimentary benefits were offered to Md'lle. Truffi, to Benedetti, and others, into the spirit of which all entered heartily, when the whole affair was quashed by the discovery that all the moveables of the Theatre, scenery, dresses, music, &c., were in the hands of a person quite unknown in Operatic annals, but generally recognised by the style and title of "The Sheriff of the City and County of New York." Thus the matter was at an end; the artists lost their money, and the public their pleasure.

These moveables seem to have been the cause of nearly as much turmoil as those of

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Hereford, the promise of which—and nothing else—was given by Richard to the Duke of Buckingham. Finally, however, they have passed quietly and assuredly into the hands of one who we are convinced will make the best possible use of them for the prosperity of Opera here. We speak of Mr. EDWARD P. FRY, whom, and not his brother, Mr. WILLIAM H. FRY, the Composer, we intended to point out in our last number as having the abilities and knowledge to make an efficient manager.

Mr. EDWARD FRY, of the highly respectable and influential Philadelphia family of that name, seems to us to bring to the position which he will probably assume ere long, qualifications admirably fitting him for that position, and rarely united in one person. For a long time his attention has been given to the manner in which Theatres, and particularly Opera Houses, are conducted and constructed. These matters have for years afforded him an absorbing recreation in the intervals of the routine of daily business. He brought to the study, intelligence and unwearied perseverance, and was stimulated by a devoted love for art, and particularly for music. During a visit to Europe he had, and improved unusual facilities for making himself acquainted with the construction of the principal Theatres and Opera Houses there, and the mode in which they are conducted. These he examined, and understandingly, in their minutest details, receiving from each of them hints, which he used to assist him in perfecting the plan which he seems to have had in his mind at the time. The consequence is, that he thoroughly comprehends all matters connected with Opera, from the building of the house to the shifting of a scene, from the plan of a season to the casting of a part. Stage business, stage effect, the proper mounting of pieces, and dressing of characters are all familiar to him. In addition to this, he is a man who understands the temperament of artists and the wants of the public, and is able to develope the powers of the former so as to meet the demands of the latter. His views of theatrical management are of the most liberal nature; nothing will be niggardly done under his direction. Having a thorough business education, and talents to profit by it, he will be able so to conduct his affairs that the enterprise will be saved from that ruinous monetary mismanagement which has hitherto so seriously affected the success of Opera here. We consider it a cause of gratulation that a man who to these qualifications adds those of known and tried integrity, who has the confidence and good-will of a large number of our most influential and respected citizens, and who is at the same time a gentleman, should have undertaken the management of an Opera Company. He is in possession of all the valuable properties of the Astor Place Opera House, worth about fifteen thousand dollars, and has engaged the principal members of the company lately there, with TRUFFI and BENEDETTI at their head, for the next year. He is at liberty to produce them where he thinks best; but it is to be hoped that the scene of their former triumphs will be the field of their continued success, and it is nearly certain that this will be the case. Their first conquests were fruitless save in fame; let us hope that under another commander they will achieve no less, and will be able to maintain the ground they win.

The BROADWAY THEATRE has been well filled during the last month by the successive attractions of BROUGHAM's new comedy, Romance and Reality, in which the author acted a principal part, Mr. COLLINS, who has played his usual round of Irish characters, and Mr. ANDERSON, who has given us SHAKSPEARE, BEAUMONT and FLETCHER, BULWER, &c. Mr. BROUGHAM's play must be regarded as having attained decided success, for it was received night after night for three weeks with increasing favor; but whether this success will be permanent, and the play will keep possession of the stage, is a matter of more than doubt. It is lively and stirring, and "moves on" from beginning to end; is full of incident, contains not a little good repartee, and is so contrived that each act ends with a striking situation. If the object of the author were to make his hearers laugh, he certainly must be congratulated on a complete success, for the house is upon the broad grin from the rise to the fall of the curtain. But comedy has higher aims than this;—the development of character, the portrayal of the manners, and the satirizing of the vices of the day. In

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these points, Romance and Reality must be pronounced feeble. There is no actual character, no real creation in it. True, the characters had some identity and individuality as they were represented, but this was almost altogether owing to the abilities of Messrs. BLAKE, VACHE, Mrs. WISTANLEY, and Mrs. WATTS; as to Mr. FLEMING and Miss WALLACK, the hero and heroine, they made nothing of their parts, and could have made no more. From this remark we must except Miss WALLACK's entrance as the bride of *Stanley* in his assumed poverty; she was most winningly wife-ish. The only true character in the piece is that of *Barbara Manly*, a rabid female Fourierite; and this is so overdrawn and so over-dressed as to be almost harmless against the follies which it might have severely satirized. This exaggeration however, is in keeping with the tone of the play, which is that of farce, not comedy. Farce is the broad caricature of society, comedy but its colored daguerreotype; and the spirit of the one cannot without solecism be admitted in the form of the other. To this radical objection "Romance and Reality" is throughout obnoxious; it conveys no impression of truth to nature. Mr. BROUGHAM however, deserves great credit for his attempt; his shaft was well aimed, but fell short of the mark. Practice may give vigor to his arm.

Mr. COLLINS is an instance of a tolerably successful actor, who is by no means very Irish, or, on the stage, very gentlemanly. His brogue and his manner there alike, lack raciness and unction, and his manners are atrocious. The laughter at his performances is due to the author alone, not the actor; a distinction which audiences are not apt to make. He has a fine tenor voice, and sings the best humorous Irish songs very effectively, which is the great cause of his success. Mr. ANDERSON owes whatever favor he may win to the excellence of his reading, which is pleasing in spite of the affected tone with which he delivers his voice. We are at a loss to perceive any other claim he has to appear as a star in a company which contains such actors as GEO. VANDENHOFF, BLAKE, FLEMING, and ROSE TELBIN.

The BOWERY THEATRE is getting fairly under weigh under the skilful pilotage of Mr. HAMBLIN, who seems thoroughly at home on the planks of his old vessel. It was not his fault that the new play, Jacob Leisler, about which so much puffing and patriotism has been futilely expended, utterly failed. The unknown author and his friends should remember that the decision of the public and the critics that something more than threats to tyrants, a conspiracy and an execution—on the stage—is necessary to a tragedy, is one which both the public and the critics have a right to make and express; and that it ill becomes a playwright or his well-wishers to impeach the integrity of the jury to which they appealed, merely because the verdict is against them.

Mr. HAMBLIN has become the lessee of the Park Theatre, and will open it in September next. Some have been led to suppose that it is now under his direction, but surely the performance of such venerable farces as A Kiss in the Dark, Shocking Events, The Secret, &c., as the accompaniment to the Danseuses Viennoises, is sufficient indication that no one of Mr. HAMBLIN's tact and knowledge has the management of affairs. The farces are good; so are bread and butter, which never should be spoken of save with the highest respect; but when they have become old and musty they are not very palatable, even when some piquant tit bit is sandwiched between them. Mr. HAMBLIN will doubtless conduct his affairs quite a different style. It is his intention to have the Theatre completely refitted, but not remodelled, its present model being one of the most beautiful and convenient not only in the country, but in the world. Though the area for seats will be enlarged, yet no more persons will be accommodated than can be at present, the additional room being for the comfort of the audience. It is needless to say that the seats will be as unlike the present instruments of torture as possible. These are useful it is true in keeping the audience awake during the performance, but under the new regime such stimulus will be administered on the stage, not off it. It is Mr. HAMBLIN's intention to have a completely new stock company. This will be a welcome announcement.

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The Anniversaries of the different religious and charitable societies attracted the usual number of visitors from various quarters, but we think occupied hardly so large a share of public attention as has generally been the case in previous years. The chief cause of this is, doubtless, the French Revolution, odd as the assignment of such a reason may appear. People must have something about which they can get excited, some safety-valve for the superfluous steam of their existence, otherwise they would most incontinently blow up, or go about mere peripatetic condensers of animal spirits, as gloomy and as dangerous as a slumbering volcano. The controllers of European affairs knew this well, and hence the provision for the people of operas, theatres, shows, carnivals, &c., &c. But the dear people tired of amusing themselves with such toys, have begun to play with edge-tools. We have no excuse for playing such dangerous games; but the excitement we must have, and so a portion of us get up political meetings; others, Anniversaries. The necessary business of these Anniversaries could be transacted in a very short time, and by a very few people; but this would by no means answer the purpose; people come not to transact business, but to hear speeches. A set of resolutions must be proposed, which, though exactly the same as those passed on each preceding year, must each be sustained by two gentlemen, the mover and the seconder, with a vehemence which would overwhelm the opponents of the cause, save that there are none there, and a power which would convince all present of the truth of proposition embodied in the resolutions, save that they were all convinced of it before, as it generally amounts to the assertion of the fact that the heathen are not distinguished for their christianity, or that slaves can by no means be considered to have as much liberty as if they were free, that the blind cannot read so well as if they could see, or the deaf and dumb converse so well as if they could hear and speak.

We must not be understood by any means, as casting the slightest slur upon the objects or the conduct of any one of the various societies whose anniversaries we have alluded to. Their objects are the most laudable which can be conceived, and they are an honor to us alike as a christian and a free country; that they are conducted efficiently is evident from their prosperity. But we cannot but think that the Anniversaries are conducted in a manner which combines a great deal of false excitement with a great deal more common place oratory and stereotyped sentiment. The transactions of each society, the reports—save the figures—and the speeches, might be written down almost as well before the Anniversary as after. One feature of the Anniversaries of the eminently praiseworthy and efficient Institutions for the Relief of the Deaf and Dumb, and the Blind, seems to us particularly objectionable. It is the selling of tickets of admissions, thus turning the Anniversary into an exhibition of the afflicted for money. Is not this too like Tom Thumb, the Siamese Twins, and the Giant Baby, and does it not suggest the propriety of electing Mr. Barnum perpetual President of these Institutions? In what does their condition differ from that of any other unfortunates, who make their affliction the source of their livelihood, save that in the case of the others who live entirely by the exhibition of themselves, there is a freedom from the sense of dependence, which must weigh heavily on those sustained by institutions of public charity. We hope that this matter may be changed. That charity is poor which does not protect the self-respect as well as provide for the subsistence of its object.

The Cole Exhibition has closed after having produced only about two thousand five hundred dollars for the benefit of the family of the dead painter. It should have produced ten thousand, and would have done so, had public attention been properly called to it at first, or had it been possible to have continued the exhibition longer, after Mr. Bryant's beautiful tribute to the memory of the artist, pronounced at the Church of the Messiah. The number of visitors to the gallery increased in a very marked degree after the delivery of this discourse.

In the Art Union Gallery, which has just opened, is a landscape tribute to the memory

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of COLE, from the pencil of CHURCH, one of our youngest, but one of our very ablest landscape painters. This picture is one of great and striking merit, but we must postpone any remarks upon it, as also upon fine pictures by LEUTZE, HUNTINGTON, and DOUGHTY, which are on the walls of the Union this year.

We see it proposed in some quarters that the prizes of this association should be in money, not in pictures, as this would prevent the dissatisfaction sometimes felt by a subscriber who draws as his prize a picture not to his taste, and also as this would be the means of procuring orders for pictures which are worth a little more than the mere sum drawn. These reasons have some weight; but it should be remembered that there is no surety that the prize will be spent in pictures, many a man being willing to risk five dollars for the chance of getting a picture worth five hundred, and the certainty of getting an engraving "worth the price of admission," who would by no means be the man to invest in pictures five hundred dollars, lawful money of the United States of America, upon which his fingers had once closed. Again, these orders, if given, would doubtless be almost exclusively given to the most successful painters, thus defeating one of the objects of the Institution, which is to encourage young artists.

The line engraving given by the Union to its subscribers for last year, is a work which does honor to the engraver, the painter, the Institution, and the country. It is of HUNTINGTON's beautiful Sybil, than which nothing more powerful or more elevated has been produced by any of our artists. The engraver has given the form and the spirit of the picture with marvellous force and fidelity. For the credit of art in this country, we should like to see this engraving, by an American engraver, of a picture by an American painter, placed among the best similar efforts of foreign artists.

A Gallery of Works of Art has been recently opened here by the well-known French house of GOUPIL, VIBERT & Co., publishers of the fine engravings of the pictures of eminent living artists, many of which pictures they possess. Their collection though continually increasing, is now by all means the most superb ever exhibited here. In it are an original by SCHEFFER, one of his best; one by PAUL DE LA ROCHE; several of the wonderful colored crayon drawings, life size, of BROCHERT, and many others which bear names almost equally distinguished. In addition to these is a large collection of the finest engravings. Indeed, no picture is exhibited here which is not considered worthy of being engraved, and most of them are accompanied by the engravings made of them. This gallery is the most interesting to amateurs and artists yet opened in the city, and cannot fail to be productive of a great improvement in our tastes. The proprietors merit the success they will doubtless achieve.

Our readers probably know that the commission to fill the panel in the Rotunda of the Capitol, left vacant by the death of HENRY INMAN, was given some time since to WM. H. POWELL. The appointment of so young a man gave, at the time it was made, offence to the partizans and personal friends of many older and more pretending, but as it has proved, not more deserving candidates for the commission. His picture, "Columbus before the Council of Salamanca," now upon the walls of the National Academy of Design, decides beyond cavil his ability to design and execute a picture which will be worthy the Capitol of the country; and that is to say that it will compare more than favorably with the larger portion of those already in the Rotunda.

His "Columbus" has a merit, which is one of the chief requisites of a historical picture, and which is by no means universally, or even generally found in such pictures; it tells the story. Any person whose education has progressed as far as that stereotyped sentence in geographies, "Christopher Columbus, a native of Genoa, discovered the new world in the year 1492," and who has that moiety of visual endowment called "half an eye," must, upon looking at the picture, instantly discover and become interested in its subject; and if possessed of a whole eye, or perhaps two, and if they be, fortunately for

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him somewhat practised in the examination of paintings, he must see that this is an excellent composition, full of meaning, embodying strongly many and diverse characters finely colored, the fruit of careful study and much and well directed labor. But it is not of this work, the property of an individual, that we would speak, having been led to notice Mr. Powell at this time by an examination of his cartoon for the picture which is to be the property of the nation, and is therefore of interest to all Americans.

The vacant panel, it is well known, is to be filled with a subject which has reference to the West—another reason, by the bye, for the selection of Mr. Powell, who is from Cincinnati, also the home of Powers—and Mr. Powell in selecting the Discovery of the Mississippi by De Soto, has chosen one which is pertinent to the interests of the whole of that great valley lying between the Alleghanies and the Rocky Mountains.

This picture as well as the other, tells its own story. De Soto at the head of a large party, has turned one of those forest-crowned bluffs which hem the turbid flow of the Father of Waters, and coming out upon a small area of table land, is brought suddenly and directly in view of the river. In the centre of the picture in full armor, but with his noble head uncovered, he sits motionless upon his horse, gazing with contemplative and prophetic eye upon the broad expanse of waters which stretches out before him, coming from he knows not where, and going he knows not whither, save that he sees that such a river must be the drain of a country of unknown extent, whose wealth it will bear to the ocean, the great highway of the world. Before him are a group of Indians, the youth and the women of which timidly propitiate him with offers of humble gifts, while one leans forward and with an instinctive perception of the reflections which press upon him, points out the course of the river. Beyond these stands in solitary dignity, an old chief who looks gloomily and forbiddingly upon the new comers. Still farther in the distance a party of natives are about landing from the river, far down which floats one of those huge trees whose presence is characteristic of its waters. An eagle arrested in his flight by the sight of the assemblage, hovers watchfully above the stream. This part of the picture is full of repose, and pregnant with suggestion, and connects itself admirably with the principal figure. Behind him, and in the foreground, is the party which accompanies him, and which is evidently but a detachment from a large and well appointed army. Knights and pages and men at arms in complete panoply rein in their horses and gaze with wonder on the river of whose existence they but yesterday more than half doubted; monks and jesuits, those stimulators of adventure and consecrators of conquest, kneel in gratitude for the new discovery; musketeers and pikemen lean upon their weapons in stolid astonishment, and the brawny cannoneer stays the lumbering gun which he has dragged to the river's bank, and feels only grateful that his day's toil is o'er. This group is full of action, and upon the face of each member of it is to be found expressed a new phase of emotion awakened by the attainment of the object of the expedition. In the rear are horsemen, and a baggage-wagon whose driver urges his team forward that he may gain the long sought sight. In the foreground on the right of the picture, two soldiers plant the cross, then the symbol of possession taken by a christian monarch. This cartoon conveys an impression of power, which must be increased when it is put upon the canvass with the advantages of life-size for the figures, and the harmonious color which is now one of Mr. Powell's acknowledged characteristics. It is his intention to go to Europe to make studies for the picture.

A New Editor.—We observe that the long established and highly respectable journal, the Albion, has passed from the direction of its worthy founder, Dr. Bartlett, under the control of Mr. Young, almost a stranger amongst us, but coming recommended by high literary reputation and unblemished personal respectability. We cannot but congratulate the editorial corps on so estimable an addition to its strength, while we are glad to see enrolled amongst our citizens a gentleman who cannot fail to become a useful member of the community. Mr. Young, though an Englishman by birth and education, has allied himself closely to our country through marriage and long residence; whilst possessing,

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therefore, a complete knowledge of the interest and policy of the land of his birth, he will be, nevertheless, able to form without prejudice, a correct estimate of those of the country of his adoption. In seeking to reconcile them, when by any ill chance they may clash, and contributing by his experience and activity to promote their joint prosperity, he will fill the full measure of his benevolent mission as a public journalist, and carry out faithfully the specific object of the establishment of the influential organ he now presides over. The activity of Mr. Young, derived from habits of industry and a robust health, will impart a variety and tone to the columns of the *Albion*, which they have of late greatly lacked, in consequence of the infirm health and inevitable inattention of its late editor. Its literary merits, too, cannot fail to be more than ever fostered under the discriminating taste of Mr. Young, whose taste for *belles lettres* is not more decided than has been his success in their cultivation. It may not be generally known that he is the author of, we believe, the only English translation of Beranger's Songs, where he has succeeded with marvellous felicity in preserving the spirit, freshness and epigrammatic point of this popular French poet. We see that he has lately enriched the columns of the *Albion* with some later translations of the "woodnotes wild," of the greatest of lyric poets, and we are sure he could confer on his readers no greater favor than to continue them. We beg Mr. Young to accept our hearty welcome, and the strongest expressions of our entire confidence in his success.

NOTICES OF NEW BOOKS.

THE WRITINGS OF GEORGE WASHINGTON: Being his Correspondence, Addresses, Messages, and Other Papers, Official and Private; Selected and Published from the Original Manuscripts, with a Life of the Author, Notes and Illustrations. By Jared Sparks. Vol. XI. Harper Brothers.

These highly important national publications will be completed with the appearance of one more volume, making the 12th, and forming altogether one of the most important works that has yet appeared in relation to our national history, and the mode and manner in which the "Model Republic" was started into life, with the working of our institutions in the first year of their practical operation. At the present epoch, when new republics are being formed out of the ruined monarchies of Europe, scarcely anything can possess higher interest than the correspondence and state papers of one who carried the struggling colonies successfully through their desperate strife, and whose wisdom, virtue, and weight of character mainly contributed to the formation of institutions, that, for two-thirds of a century, have fixed the gaze and won the increasing admiration of progressive Europe, until they have become the model for practical statesmanship on the continent. The surprising cheapness of the present edition, being one-half the original cost, places the volumes within the means of all.

WANDERINGS AND FORTUNES OF SOME GERMAN EMIGRANTS. By Frederick Gerstacker. Translated By David Black. D. Appleton & Co.

There is nothing more interesting in the nature of travel than to follow the varying fortunes of a body of enterprising men, the nature of whose position at home is such as to force them to seek new climes, new occupations, and new associations, in order to render existence a little more tolerable. Of this nature is the interesting book before us, which describes the adventures, hardships and misfortunes that befell an association of German emigrants, who embarked at Bremen, with the determination of buying a lot of land somewhere in the United States, in order to occupy, till, and harvest it in common. The result of such an undertaking could not be otherwise than disastrous. Large bodies of men, made up of individuals differing in strength, habits and capacity, can never consent to share alike the profits of their common exertions. The attempt to carry out such a scheme on an extensive scale must of necessity involve the parties in misery and ruin. This practical lession in Communism is very instructive at this moment.

THE ITALIAN SKETCH BOOK. By H. T. Tuckerman, author of Thoughts on the Poets. 3d edition, revised and enlarged. J. C. Riker.

The readers of the Review are familiar with the high character of Mr. Tuckerman's productions, and they will doubtless doubly welcome at this crisis in the affairs of Italy, a reproduction of his most popular effort. The volumes are the result of observations

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made during a residence in that delightful country; and the fervid and graceful sketches of scenery and society in modern Italy, prove exceedingly interesting. A portrait of Pius IX. attends the volumes.

History of England: From the Invasion of Julius Cæsar to the Reign of Victoria. By Mrs. Markham. A New Edition, Revised and Enlarged. With Questions adapted to Schools in the United States. By Eliza Robbins, author of American Popular Lessons. D. Appleton & Co., 200 Broadway.

This concise history of the leading features of English history appears well adapted to the use of schools, and for conveying the general idea of the great events. The time has not yet arrived, though it is fast approaching, when public sentiment will allow of the compilation of histories more in accordance with a democratic view of the relations between governments and their duties, and the people and their rights, than can be found in English works now extant. It is a great evil that republican youth in this country should receive their information from aristocratic sources. The work before us seems far less objectionable than many others in this respect.

Romance of the History of Louisiana: A Series of Lectures. By Charles Gayerre. D. Appleton & Co.

Mr. Gayerre, in a humorous preface, informs us of the causes which led to his resigning his seat in the United States Senate, and travelling in France for his health, compelled, in a manner, to become the historian of the early times of Louisiana; that subsequently, on his return to the United States, he was invited to deliver a lecture before the Lyceum, which being published in De Bow's very valuable New-Orleans Commercial Review, obtained such popular favor as induced the production of the three lectures, which, with the first, compose the present volume, forming an exceedingly interesting passage in the history of this noble state.

The Boy's Spring Book: Descriptive of the Seasons, Scenery, Rural Life, and Country Amusements. By Thomas Miller. With 35 Illustrations. Harper Brothers.

This highly popular series of books, adapted to the season, have already become widely known and highly appreciated, for the instruction and amusement conveyed in them.

Hobart's Analysis of Bishop Butler's Analogy of Religion, Natural and Revealed, to the Constitution and Course of Nature. With Notes. Also, Crawford's Questions for Examination, revised and adapted to the use of Schools. By Charles E. West, Principal of Rutgers' Institute, in the City of New-York. Harper Brothers.

This is a very desirable edition of a very popular work. It is a handsome and very cheap volume.

The Swiss Family Robinson. 2d Series. Being the continuation of the work already published under that title. Translated from the French, by J. de Clinton Locke. Harper Brothers.

The high popularity of the first part of this work is a sufficient guarantee that this continuation will be eagerly sought after. The interest of this second series is no ways inferior to that excited by the first part.

Niagara: A Poem. By Rev. C. H. A. Bulkley. Leavitt, Trow & Co., 191 Broadway.

New French Paper.—During the month has been established at New York, under the title of *Les Deux Mondes Revue Independante*, a publication having for its object the propagation of the principles of *Fraternity*, *Equality*, and *Liberty*; words which ere long will figure on the banner of every nation. The first number of Les Deux Mondes appeared May 11, accompanied by an extraordinary supplement of eight pages, which, with thirty-two pages, composing the "*Revue*," make forty pages of matter. The contents of the first number are as follows: 1, An Address to Readers; 2, Review of the General Situation of Europe up to the latest dates, (1st part); 3, Paris Correspondence; 4, The Socialist Party excluded from the Legislative Assembly; 5, Biographical Notice of Louis Blanc, (with a portrait); 6, Organization of Labor; 7, Theatres, and Parisian Chronicle; 8, *Les Mendiants de Paris*, a very interesting novel, by Clemence Robert. The Supplement contains the following: 1, Notice to Subscribers; 2, Account of the Popular Demonstration at Paris, on the 16th April; 3, Opinion of the *National* on that Demonstration; 4, Important Acts of the French Provisional Government; 5, Letter from citizen Cabet, leader of the Communist Party, accused of being the author of the movements which gave rise to the Demonstration at Paris; 6, Une revue d' Europe; 7, Numerous Miscellaneous Facts; State of the Exchange at Paris, on the 19th April. Subscriptions are received at Messrs. Berard and Moudon, 315 Broadway, N. Y., and at the Office of the Deux Mondes, 73 Nassau street.

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